



Independent Pricing and Regulatory Tribunal
New South Wales

Electricity Networks Reporting Manual

Draft updates



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Invitation for submissions

IPART invites written comment on this document and encourages all interested parties to provide submissions addressing the matters discussed.

Submissions are due by 24 February 2017

We would prefer to receive them electronically via our online submission form <www.ipart.nsw.gov.au/Home/Consumer_Information/Lodge_a_submission>.

You can also send comments by mail to:

Electricity Networks Reporting Manual review
Independent Pricing and Regulatory Tribunal
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Late submissions may not be accepted at the discretion of the Tribunal. Our normal practice is to make submissions publicly available on our website <www.ipart.nsw.gov.au> as soon as possible after the closing date for submissions. If you wish to view copies of submissions but do not have access to the website, you can make alternative arrangements by telephoning one of the staff members listed on the previous page.

We may choose not to publish a submission—for example, if it contains confidential or commercially sensitive information. If your submission contains information that you do not wish to be publicly disclosed, please indicate this clearly at the time of making the submission. IPART will then make every effort to protect that information, but it could be disclosed under the *Government Information (Public Access) Act 2009* (NSW) or the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW), or where otherwise required by law.

If you would like further information on making a submission, IPART's submission policy is available on our website.



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1 Purpose of this Reporting Manual

IPART is the safety and reliability regulator for the NSW electricity networks.¹

Electricity network operators (ENO) continue to have the prime responsibility for safety and reliability in relation to their network, and discharge this responsibility through the implementation of their safety management systems and compliance with reliability standards.

IPART's role is to hold ENOs accountable by developing an effective risk based compliance and enforcement framework.

This Reporting Manual outlines the reporting requirements for ENOs to provide IPART with sufficient information to exercise its regulatory functions.²

The information gathered will allow IPART to:

- ▼ determine whether ENOs are consistently and effectively meeting statutory obligations
- ▼ identify immediate risks
- ▼ identify trends that signify emerging issues across the industry with a view to developing safety measures or supporting industry safety initiatives where appropriate, and
- ▼ ensure the maintenance of employment conditions for employees of the leased network operators.

1.1 The status of this document

This Reporting Manual is issued by IPART. IPART will review and amend the Reporting Manual from time to time.

Licence conditions for the licensed ENOs require that the licence holder complies with a Reporting Manual issued by the Tribunal.³ Although no regulatory requirement to comply with a Reporting Manual exists for non-licensed ENOs, IPART expects that all ENOs will comply with the Reporting Manual where applicable to their specific reporting obligations. Each chapter may not apply to all ENOs, and this is specified where relevant.

The reporting requirements specified in this reporting manual do not replace any requirements identified in licence conditions, legislation, statutory instruments or codes that apply to ENOs. Compliance with the Reporting Manual is required in addition to, not in substitution for, compliance with other applicable obligations.

¹ Section 77 of the *Electricity Supply Act 1995* (NSW).

² Section 10 of the *Electricity Supply (Safety and Network Management) Regulation 2014* (NSW).

³ Schedule listing ministerially imposed licence conditions for distribution network service providers, licence condition 7; the *Transmission Operator's Licence under the Electricity Supply Act 1995 (NSW)*, issued by the Minister for Industry, Resources and Energy, 7 December 2015, condition 11, p 7; and the *Schedule of Ministerially imposed licence conditions for the operator of a transacted distribution system* issued to the Ausgrid Operator partnership on 1 December 2016, condition 14.

A review of the reporting requirements will be conducted periodically to accommodate any changes to statutory requirements and licence conditions.

1.2 The structure of this document

This report is structured as follows:

- ▼ Chapter 2 – incident reporting requirements.
- ▼ Chapter 3 – safety management systems reporting requirements.
- ▼ Chapter 4 – bushfire risk management reporting requirements.
- ▼ Chapter 5 – licence condition compliance reporting requirements (including reliability standards).
- ▼ Chapter 6 – Employment Guarantee compliance reporting requirements.
- ▼ Chapter 7 - *Environmental Planning & Assessment Act 1979 (NSW)* NSW Code of Practice for Authorised Network Operators compliance reporting requirements.
- ▼ Appendices A - C - additional information on incident reporting
- ▼ Appendix D – Annual compliance report pro-forma
- ▼ Appendices E - H – More details on obligations that are imposed by operating licences and other legislation
- ▼ Annexures 1, 2 and 3 - Templates for reporting.

1.3 Reporting calendar

Table 1.1 below summarises the key reporting dates that ENOs must comply with.

Table 1.1 Reporting calendar for energy network operators (ENO)

Report topic	Reporting period	Report due to IPART	Is an audit report req'd? ^a	Is report publication req'd?	Affected network operators
Chapter 2 Incident reporting	Report on individual significant incidents	Ongoing ^b	No	No	All ENOs with assets in NSW
Chapter 3 ENSMS performance report	The preceding financial year	31 Aug. ^c	No	Yes by 30 Sept.	All ENOs with assets in NSW
Compliance of ENSMS with regulatory requirements		None required	Yes, at IPART's discretion. IPART will provide direction on timing and scopes.	No	All ENOs with assets in NSW
Chapter 4 Bushfire preparedness	12 months to 30 Sept.	31 Oct. ^c	No	Yes by 30 Nov.	All ENOs with assets in NSW
Chapter 5.2 Compliance with general licence conditions	The preceding financial year	31 Aug. ^c	No, unless directed to do so by IPART.	No	Ausgrid Endeavour Essential TransGrid
Chapter 5.3 Compliance with critical infrastructure licence conditions	The preceding financial year	31 Aug. ^c	Yes	No	TransGrid Ausgrid ^f
Chapter 5.4 Compliance with reliability and performance standards	The preceding quarter	31 Oct. 31 Jan. 30 Apr. 31 Jul.	Yes, by 30 Sept for the preceding financial year	No	Ausgrid Endeavour Essential
Chapter 6 Compliance with Employment Guarantees	The preceding quarter	31 Oct. 31 Jan. 30 Apr. 31 Jul.	No, unless directed to do so by IPART.	No	Ausgrid Endeavour TransGrid
Chapter 7 Compliance with EP&A Act Code of Practice for Authorised Network Operators	Report on individual significant breaches. Each calendar year	Ongoing ^d 30 Apr. ^c	No, unless directed to do so by IPART.	No	Ausgrid Endeavour TransGrid

^a Refer to IPART's *Electricity networks audit guideline*.

^b Immediate report of Category 1 - major incidents, followed by 14- and 90-day reports as directed. See Appendix A for more details.

^c Or another date as specified by IPART.

^d Immediate report of serious breach.

^e Mandatory requirements depend on whether an ENO is licenced.

^f Will be updated to include Endeavour's obligations once it's transaction is complete.

Note: IPART has prepared an Audit Guideline to further inform the network operators on timing and scope requirements of audits. This is available on our website.

2 Incidents

NSW ENOs have reporting obligations under the *Electricity Supply Act 1995* (NSW) in relation to serious electricity works accidents. Additional, but similar, obligations exist under the license conditions for TOs and DNSPs imposed by the Minister for Resources and Energy. The incident reporting requirements identified in this reporting manual replace the Significant Electricity Network Incidents⁴ reporting requirements that previously applied to ENOs under the *Electricity Supply Act 1995*. This manual describes the form in which ENOs are to report major network incidents. The data collected will be used to monitor the safety and reliability of networks and the effectiveness of network operators' safety management systems. Data collected through incident reporting may be shared with SafeWork NSW to facilitate a collaborative regulatory response.

The full reporting requirements for this chapter apply to:

- ▼ Ausgrid
- ▼ Endeavour Energy
- ▼ Essential Energy, and
- ▼ TransGrid.

The following ENOs are required under the *Electricity Supply Act 1995* to report Serious Electricity Works Accidents (SEWAs) that occur on their electricity networks within NSW. However, IPART expects these ENOs to comply with all the incident reporting requirements identified in this chapter.

- ▼ Sydney Trains
- ▼ Metro Trains Sydney
- ▼ Directlink
- ▼ Lord Howe Island Board
- ▼ ActewAGL Distribution (ACT)
- ▼ Ausnet Services (Victoria)
- ▼ PowerCor (Victoria), and
- ▼ Energy Queensland⁵ (Queensland).

2.1 Timing and lodgement

Incident reports are to be submitted on an occurrence basis. Depending on the category of incident, reports may be staged to accommodate the investigation process. The notification and reporting requirements for each category of incident is summarised in Table 2.1 below.

⁴ Issued by the NSW Department of Trade & Investment (now New South Wales Department of Industry).

⁵ Energy Queensland was formed following the merger of Ergon Energy and Energex, in 2016.

Table 2.1 Notification and reporting requirements for incident categories

Category	Notification of SEWAs to SafeWork NSW	SEWA Site disturbance permission request to SafeWork NSW	Stage 1 report	Stage 2 report	Stage 3 report
1. Major Incident	✓	✓	✓	✓	✓
2. Incident	✓	✓	✓	✓	✓
3. Other SEWAs	x ^a	✓	✓ ^a	x	x
4. Significant near miss	x	x	✓	✓ ^b	✓
5. Near miss	x	x	✓	✓ ^b	x

^a The stage 1 report to IPART meets the notification requirement for category 3 incidents

^b Stage 1 and stage 2 reports are combined with a due date of 30 days after the incident for category 4 and 5 incidents

A detailed description of the reporting timeframe and frequency as well as the staging requirements for the submission of incident reports are in the reporting matrix in Appendix A.

2.1.1 Notification

IPART has developed a cooperative arrangement with SafeWork NSW for SafeWork to receive notifications of SEWAs on IPART's behalf. ENOs are to provide notification of Category 1 and Category 2 SEWAs by contacting SafeWork NSW on 13 10 50. SafeWork will also consider any requests for permission to disturb the site of any SEWA on IPART's behalf. For Category 1 and Category 2 incidents, there is no requirement to contact IPART. Notification for Category 3 incidents is made through IPART's online incident reporting portal without requiring verbal or written correspondence.

2.1.2 Obtaining Permission to disturb the site of a SEWA

IPART has developed a cooperative arrangement with SafeWork NSW for SafeWork to receive and process requests for site disturbance under the *Electricity Supply Act 1995* on IPART's behalf.

The obligation to obtain site disturbance permission applies to anyone that seeks to disturb or interfere with the site of a SEWA for any reason other than to make it safe, or before the site has been inspected by an appointed inspector. This request may be made to SafeWork NSW concurrently with the notification of a SEWA and any notification that may be required under the *Work Health and Safety Act 2011* (NSW).

Call 13 10 50 to contact a SafeWork NSW inspector to seek site disturbance permission.

An inspector may grant permission to disturb the site over the phone, or may decide an inspection is required prior to granting permission.

2.1.3 Submitting reports

Incident reports submitted by TransGrid, Ausgrid, Endeavour Energy, Essential Energy and Sydney Trains should be submitted using the online reporting portal at ipart.huegin.com.au from 1 November 2016. Other ENOs may choose to use the online reporting portal, or submit reports to energy@ipart.nsw.gov.au.

These staged reports are to be delivered to IPART in accordance with section 2.4.

2.2 Incident definitions

Five event categories have been established for incident and near miss reporting. This allows for each event to be categorized, with sufficient information for each to be submitted within an appropriate timeframe. These event categories are listed below:

1. major incident
2. incident
3. serious electricity works accident – other
4. significant near miss, and
5. near miss.

Definitions and reporting requirements for each category have been provided in the reporting matrix in Appendix A.

These events shall be notified to IPART where electricity works are involved.

Electricity works are defined in the *Electricity Supply Act 1995* and mean any electricity power lines or associated equipment or electricity structures that form part of a transmission or distribution system.

The reporting matrix in Appendix A provides the relevant criteria for reporting incidents impacting the following classifications:

- ▼ people – safety of workers undertaking work on or near the network as well as members of the public,
- ▼ property of third parties, and
- ▼ reliability of the network.

Where an incident impacts on two or more of the above classifications, reporting requirements will be informed by the classification with the worst case severity, where category 1 is the most severe and category 5 is the least severe.

2.2.1 Non-reportable incidents

The following incidents are not reportable to IPART:

- ▼ Electric shocks from static discharge.
- ▼ Electric shocks from defibrillators (this is an incident recovery action not an incident mechanism).
- ▼ Electric shocks where the system is operating nominally at extra-low voltage (note that incidents where the shock is at extra-low voltage level, but the nominal system voltage is greater than extra-low voltage, are still reportable).
- ▼ Incidents involving DC rail traction systems that are reportable to the Office of the National Rail Safety Regulator.
- ▼ Electric shocks from electrical installations, except where specifically nominated. These incidents are regarded as customer shocks. This information is to be reported by network operators to IPART as part of the annual reporting of performance against their safety management system (refer to Chapter 3 of this Manual).

2.3 Incident mechanism

Incidents are to be reported based on the event, sometimes referred to as the 'mechanism of incident', by which the incident occurred. To allow consistent entry of data, event classifications will be based upon the *Type of Occurrence Classification System 3rd Edition*, section F 'Mechanism of incident classification'. A summary of these events is provided in Appendix B.

2.4 Incident reporting stages

The reporting process has been designed to deliver timely reporting of an incident in a staged manner without compromising the ENOs ability to investigate and respond to the incident. Depending on the event category, up to three stages may apply to an incident report. Only the more significant events require reports at all three stages.

2.4.1 Stage 1 – Initial report

The initial report of an incident outlines the basic information regarding the event.

Details required at the initial stage are:

- ▼ A description of the event:
 - Where the incident occurred.
 - When the incident occurred.
 - Initial indication of incident mechanism.
 - Initial indication of incident extent.
- ▼ Details of who has submitted the Stage 1 report
- ▼ Where the incident has been identified as a SEWA and notified to SafeWork, an incident notification number should be provided.

2.4.2 Stage 2 – Interim Report

The interim report stage allows the submission of factual information regarding the event.

Note that where actual details are yet to be confirmed, a best estimate should be used to populate data. Information can be revised when more accurate data becomes available, with notification to IPART.

The details required at the interim report stage are:

- ▼ General description of the geography and topography relating to the incident.
- ▼ Environmental conditions at time of incident
 - Temperature
 - Rainfall
 - Visibility
 - Wind
- ▼ Whether the incident site is bushfire prone.
- ▼ Network assets related to the incident.
- ▼ Consequence of incident:
 - People:
 - i) Identify who was affected.
 - ii) Specify whether they were network operator workers, contractors, accredited service provider (ASP) workers, public workers or members of the public.
 - iii) Contact details of affected persons.
 - iv) Extent of injury, and
 - v) Treatment details.
 - Property:
 - i) Value of damage.
 - ii) Area burnt by network initiated fire.
 - iii) Environmental, cultural and heritage impact of incident.
 - Reliability:
 - i) Maximum outage duration.
 - ii) Total number of customers impacted.
 - iii) Calculated system average interruption duration index (SAIDI), system average interruption frequency index (SAIFI) and customer average interruption duration index (CAIDI) impacts.
- ▼ Incident management/recovery steps and resource utilisation.⁶

⁶ Note that incident management/recovery steps are part of incident management controls and should be distinguished from corrective and preventative actions. Corrective and preventative actions are determined through the risk assessment process before or after an incident while incident management/recovery steps are taken during an incident.

2.4.3 Stage 3 – Final Report

The final report stage where all details surrounding the event and subsequent investigations, including causal information and management review outcomes, will be submitted.

The details required at the final report stage are:

- ▼ Causal factors⁷.
- ▼ Event controls that were ineffective.
- ▼ Event controls that were effective.
- ▼ Escalation factors.
- ▼ Manageability:
 - Identification of corrective and preventative control options.
 - Practicability of options.
 - Resultant impact of proposed options, if implemented.
- ▼ Management response to investigation outcomes.
- ▼ Specific requirements are included in the reporting matrix.

⁷ Causal factors are the factors and events that have led to the occurrence of the reported incident and to the outcome of this incident. The causal factors are to be itemised and described within the report and accompanied by their causal code. Causal codes are found in Appendix C.

3 Safety Management Systems

IPART requires that performance reporting provides sufficient information for IPART or members of the public to assess an ENO's performance against its safety management system. The minimum reporting requirements identified in this reporting manual replace those previously published by NSW Trade and Investment (now New South Wales Department of Industry).

Each ENO is required to publish annually the results of its performance measurements against its safety management systems (see Clause 10, *Electricity Supply (Safety and Network Management) Regulation 2014* (NSW)).

Reporting requirements for this chapter apply to all ENOs with assets in NSW, that is:

- ▼ Ausgrid
- ▼ Endeavour Energy
- ▼ Essential Energy
- ▼ TransGrid
- ▼ Sydney Trains
- ▼ Metro Trains Sydney
- ▼ Directlink
- ▼ Lord Howe Island
- ▼ ActewAGL Distribution (ACT)
- ▼ Ausnet Services (Victoria)
- ▼ PowerCor (Victoria), and
- ▼ Energy Queensland (Queensland).

3.1 Timing and lodgement

The annual performance report is to align with the financial year and cover the period of 1 July up to and including 30 June of the following year.

A notification is to be submitted to IPART on or before 31 August following the financial year covered by the report. The notice shall confirm that the report has been completed and a copy of the report shall be attached to the notice. Annual performance reports are to be submitted to IPART via the energy@ipart.nsw.gov.au email address.

Any content in the report that has not been exempt from public release is to be published on the ENOs website by 30 September.

3.2 Content

Annual performance reports are to contain details of compliance with the ENOs Electricity Network Safety Management System (ENSMS) as well as performance measures for the ENOs electricity network.

The summary of compliance reporting elements are:

- ▼ safety and reliability of the network
- ▼ formal safety assessment reviews and residual risks
- ▼ safety risk management actions, and
- ▼ compliance with directions from IPART.

The summary of performance measures are:

- ▼ network asset failures
- ▼ target asset failure rates
- ▼ encroachment on network assets
- ▼ unauthorised access to network assets, and
- ▼ customer safety reporting.

Full details of reporting requirements are included in the annual performance report template in Annexure 1.

3.3 Exemptions to public release of reporting information

Where an ENO seeks to be exempt from the publication of information in accordance with this manual, an exemption request is to be submitted to IPART. This request is to itemise all reporting metrics for which an exemption is requested. The request must describe for each item, why the Tribunal should consider an exemption from publication of that information.⁸ The request may also outline for any item, other reasons why the exemption is sought.

IPART will provide a written response to the request either agreeing or disagreeing with each item in the request and the justification for each decision.

⁸ Note that IPART has obligations under the *Government Information (Public Access) Act 2009* (NSW) to make certain information publicly available.

4 Bushfire risk management reporting

IPART requires that each ENO produce an annual bushfire risk management report to establish its effectiveness in managing this risk. The annual bushfire report allows IPART to identify areas of concern within an ENO's bushfire risk mitigation program and determine if intervention is required.

In accordance with the *Electricity Supply (Safety and Network Management) Regulation 2014* clause 7(1)(b)(iv), an ENO's ENSMS must deal with the management of bushfire risk relating to electricity lines and other assets of the network operator's network that are capable of initiating bushfire.

As noted in chapter 3 of this Manual, clause 10 of the *Electricity Supply (Safety and Network Management) Regulation 2014* (NSW) requires each ENO to publish annually the results of its performance against its ENSMS.

Reporting requirements for this chapter apply to:

- ▼ Ausgrid
- ▼ Endeavour Energy
- ▼ Essential Energy
- ▼ TransGrid
- ▼ Sydney Trains
- ▼ Metro Trains Sydney
- ▼ Directlink
- ▼ Lord Howe Island
- ▼ ActewAGL Distribution (ACT)
- ▼ Ausnet Services (Victoria)
- ▼ PowerCor (Victoria), and
- ▼ Energy Queensland (Queensland).

4.1 Timing and lodgement

The bushfire risk management report is to align with the nominal bushfire season and cover the ensuing 12 months, ie, from 1 October up to and including 30 September of the next calendar year.

The report is to be submitted to IPART by 31 October each year or as otherwise specified by IPART. Bushfire risk management reports are to be submitted to IPART via the energy@ipart.nsw.gov.au email address.

The report is to be published on the ENOs website by 30 November annually.

4.2 Content

The bushfire risk management report is to contain details of:

- ▼ number of inspections of power lines (owned by the ENO and by private customers) undertaken against the number required
- ▼ number of defects identified
- ▼ number of defects corrected
- ▼ number of fire ignitions from network assets
- ▼ number of fire ignitions from private installations
- ▼ bushfire risk management actions
- ▼ audit reports on the ENSMS (specifically, the elements of the report addressing management of bushfire risk), and
- ▼ compliance with any directions from IPART.

Full details of reporting requirements can be found in the bushfire risk management report template in Annexure 2.

5 Compliance with licence conditions

Licence holders are required to furnish to IPART information to enable IPART to determine whether or not the licence holder is complying with their licence conditions.

The reporting requirements outlined in this chapter relate to compliance with licence conditions. It excludes incident reporting which is outlined in Chapter 2.

Reporting requirements for this chapter apply to:

- ▼ Ausgrid
- ▼ Endeavour Energy
- ▼ Essential Energy, and
- ▼ TransGrid.

5.1 Timing and lodgement

IPART has classified the compliance reporting requirements for licence conditions as either:

- ▼ annual, or
- ▼ quarterly.

This classification is based on the potential impact of a non-compliance of the licence conditions for safe and reliable supply of electricity, and on the Government's policy objectives.

5.1.1 How to lodge an annual compliance report

The annual compliance report covering the previous financial year must be submitted to IPART no later than 31 August each year or on another date specified by IPART.

Annual compliance reports should be lodged by email to energy@ipart.nsw.gov.au. Name and contact details (phone, email) of the primary contact should also be provided. An alternative contact for those times when the primary contact is unavailable should also be nominated.

5.2 Annual compliance reporting

Annual compliance reporting consists of two requirements:

- ▼ to report all non-compliances with licence conditions over the previous financial year, and
- ▼ to certify that all non-compliances that have occurred have been accurately reported.

The format of the annual compliance report is set out in Appendix D.

5.2.1 Content

In the annual compliance reports, licence holders are required to report any non-compliance against licence conditions and obligations that are prescribed in:

- ▼ the *Electricity Supply Act 1995* (NSW)
- ▼ the *Electricity Supply (General) Regulation 2014* (NSW)
- ▼ ministerially imposed licence conditions (including the reliability and performance licence conditions), and
- ▼ the licence.

Note that not all licence conditions are applicable to every licence holder. The licence holder must be aware of, and fully comply with, all its licence obligations. Appendix E contains a list of licence conditions for DNSPs and Appendix F contains list of licence conditions for TOs. These tables must be read in conjunction with the relevant legislation, statutory instruments and applicable codes. The information provided in Appendices E and F does not relieve a licence holder of its obligation to be aware of, and fully comply with, all licence obligations.

Licence holders are required to submit an annual statement certifying that the business has complied with its licence obligations other than the exceptions identified in the annual compliance report. The annual compliance statement must be signed by:

- ▼ the Chief Executive Officer (CEO, or equivalent), and
- ▼ the Chairman of the Board or a duly authorised Board member other than the CEO.

There are separate reporting requirements for distributors and transmission operators. Amongst the distributors, Ausgrid has separate reporting requirements against the conditions of the *Ministerially imposed licence conditions granted to Ausgrid Operator Partnership*⁹ (Ausgrid licence) which applies to Ausgrid from 1 December 2016.

Ausgrid is required to comply with obligations imposed under condition 12 of the licence by 1 December 2018. Whilst Ausgrid will not have to report on its compliance with

⁹ Distributor's Licence issued by the Minister for Industry, Resources and Energy under the *Electricity Supply Act 1995* (NSW), granted to Ausgrid Operator Partnership a partnership carried on under that name by Blue Op Partner Pty Ltd (ACN 615 217 500) as trustee for the Blue Op Partner Trust, ERIC Alpha Operator Corporation 1 Pty Ltd (ACN 612 975 096) as trustee for ERIC Alpha Operator Trust 1, I= RIC Alpha Operator Corporation 2 Pty Ltd (ACN 612 975 121) as trustee for ERIC Alpha Operator Trust 2, ERIC Alpha Operator Corporation 3 Pty Ltd (ACN 612 975 185) as trustee for ERIC Alpha Operator Trust 3, and ERIC Alpha Operator Corporation 4 Pty Ltd (ACN 612 975 210) as trustee for ERIC Alpha Operator Trust 4, dated 28 November 2016.

condition 12 prior to that date, IPART may request information from the network on its progress to ensure compliance by that date.

The distributor reporting requirements are presented in Table 5.1, excluding those conditions on critical infrastructure and reporting against the Employment Guarantees. These areas are discussed in Section 5.3 and Chapter 6 of this Manual respectively.

Table 5.1 Exception-based reporting requirements for Electricity Distributors

IPART Code	Licence conditions	Name of reporting requirement	Description of information to be included
Refer to Appendix E	All	Licence conditions - general	Report on non-compliance with relevant licence condition. Information must include details of: <ul style="list-style-type: none"> the extent and nature of the non-compliance including whether and how many customers and/or other licence holders have been affected the reasons for non-compliance the actions taken or proposed, to rectify the non-compliance and to prevent it reoccurring; and the actual/anticipated date of full compliance and the state of the remedial action as at 30 June.
MOR1-3	ESA section 63D(3)	Market Operating Rules	Report on non-compliance with ESA section 63D(3). Information should include the Market Operating Rule number and clause that was breached.
DL17	ES (General) Reg cl 22(2)	Social programs	Report on non-compliance with ES (General) Reg cl 22(2). Information should include details of: <ul style="list-style-type: none"> the Social Programs for Energy Code that was adopted the actions the licence holder has taken or will undertake in order to become compliant with its obligations under the Social Programs for Energy Code.
DRF1-10	DNSP conditions, 11.2	Ring fencing	Report on non-compliance with licence condition 11.2. Information should include the clause of the NSW Distribution Ring Fencing Guidelines that was breached.

Note: 'DNSP conditions', refers to the *Schedule listing ministerially imposed licence conditions for distribution network service providers* and the *Reliability and Performance licence Conditions for Electricity Distributors*.

Table 5.2 outlines the annual reporting requirements for the transmission operator's licence¹⁰, excluding those conditions on critical infrastructure (conditions 6-8) and Employment Guarantees (condition 16). These areas are discussed in Section 5.3 and Chapter 6 of this Manual respectively.

¹⁰ Transmission Operator's Licence issued by the Minister for Industry, Resources and Energy under the *Electricity Supply Act 1995* (NSW), granted to the NSW Electricity Networks Operations Pty Limited (ACN 609 169 959) as trustee for the NSW Electricity Network Operations Trust, dated 7 December 2015 (Transmission licence).

Table 5.2 Exception-based reporting requirements for transmission operators

IPART Code	Licence conditions	Name of reporting requirement	Description of information to be included
Refer to Appendix F	All (excluding critical infrastructure and Employment Guarantees)	Licence conditions - general	Report on non-compliance with the relevant licence condition. Information should include: <ul style="list-style-type: none">▼ the extent and nature of the non-compliance including whether and how many customers and/or other licence holders have been affected▼ the reasons for non-compliance▼ the actions taken or proposed, to rectify the non-compliance and to prevent it reoccurring; and▼ the actual/anticipated date of full compliance and the state progress of the remedial action as at 30 June.

5.3 Reporting against critical infrastructure licence conditions

This section of the reporting manual applies to TransGrid and Ausgrid. A separate report must be submitted by these network operators detailing compliance with their respective critical infrastructure licence conditions. These licence conditions are available from the IPART website and included in Appendix E and F of this manual.

Each network operator must provide IPART with a report annually on whether it has complied with the critical infrastructure licence conditions over the preceding financial year to 30 June. This report is due on 31 August each year¹¹ and must be accompanied by a certification in writing supported by a resolution of the Board of the licence holder.

This report must also be audited each year. The audit must be carried out in accordance with IPART's Audit Guidelines. Network operators may choose provide a copy of the audited report by 31 August each year to fulfil both requirements simultaneously.

¹¹ Or another date specified by IPART. Transmission licence, condition 8.1; and the Ausgrid licence, condition 11.1.

5.3.1 Content

For both Ausgrid and TransGrid, the compliance report must include a statement of whether or not the network operator has complied with each licence condition. For each instance of non-compliance, the following information must also be provided:

- ▼ a description of the non-compliance
- ▼ the extent and nature of the non-compliance including outcomes and risks
- ▼ the reasons for non-compliance
- ▼ the actions taken, or proposed, to rectify the non-compliance and to prevent it reoccurring
- ▼ the actual/anticipated date of full compliance, and the state of the remedial action as at 30 June, and
- ▼ any other relevant information, including:
 - ▼ maintenance works that were undertaken outside of Australia
 - ▼ the reasons the maintenance works could not be undertaken in Australia
 - ▼ what reasonable attempts were made to enable the maintenance works to be undertaken within Australia, and
 - ▼ the terms and conditions of the engagement of the maintenance works.

For TransGrid, the report should also include the following information:

- ▼ the other agencies, organisations or businesses to which the data described in condition 7.1 of the Transmission licence has been provided, and which conditions of 7.2 (a)-(e) of the Transmission licence such provision falls within, and
- ▼ the methods employed to reasonably protect the security of the data described in condition 7.1 of the Transmission licence when disclosing that information.

For Ausgrid, the report should also include in the following information:

- ▼ the other agencies, organisations or businesses to which the data described in condition 10.1 of the Ausgrid licence has been provided, and which of the conditions 10.2 (a)-(h) of the Ausgrid licence such provision falls within, and
- ▼ the methods employed to reasonably protect the security of the data described in condition 10.1 of the Ausgrid licence when disclosing that information

Table E.3 in Appendix E provides more details on the obligations in the Ausgrid licence conditions, whilst Table F.1 in Appendix F provides the same for TransGrid's transmission licence conditions.

5.4 Quarterly reporting against reliability and performance standards for Electricity Distributors

Licence holders are required to report against the ministerially-imposed reliability and performance licence conditions. These cover:

- ▼ network overall reliability standards

- ▼ individual feeder standards, and
- ▼ customer service standards.

Quarterly reliability and performance reports are due to IPART within one month of the end of each quarter, and the DNSP licence conditions require that a copy is also submitted to the Minister. The reporting requirements are listed below.

5.4.1 Content

Table 5.3 outlines the reporting requirements against the reliability and performance licence conditions. Table E.1 to Table E.3 in Appendix E provide further details on the obligations in the licence conditions.

Table 5.3 Reporting requirements against reliability and performance licence conditions

IPART Code	Licence conditions	Name of reporting requirement	Description of reporting requirements
RP15,16	DNSP Conditions: 18.2, 18.3 Ausgrid licence: 4.1, 4.2, 7.1 and 7.2	Network overall reliability standards	Provide: <ul style="list-style-type: none"> ▼ an accurate statement of performance against pro-rata SAIDI average standards and pro-rata SAIFI average standards by feeder type, disregarding excluded interruptions ▼ reasons for any non-compliance by the licence holder with the pro-rata reliability standards and plans to improve, and ▼ information on any other matter formally notified by the Minister.
RP17	DNSP Conditions: 18.4 Ausgrid licence: 5 and 7.3	Individual feeder standards	For each non-compliant feeder, provide: <ul style="list-style-type: none"> ▼ date at which the feeder first exceeded the relevant individual feeder standard, together with the actual SAIDI and SAIFI performance of the feeder for the 12 month period ▼ details of the remedial action that the licence holder intends taking, or has taken, to improve performance of those feeders ▼ date of completion, or the date of planned completion, of the remedial action plan, or ▼ details of the investigation and action proposed or undertaken leading to the decision to advise the Minister/Tribunal that it is not economically justifiable to bring the feeder performance into compliance with the individual feeder standards.

IPART Code	Licence conditions	Name of reporting requirement	Description of reporting requirements
RP18	DNSP Conditions: 17 and 18.5 Ausgrid licence: 6 and 7.4	Customer services standard	Provide: <ul style="list-style-type: none"> ▼ the number of payments given to customers by each type of area listed in Column 1 of Table 1 in Schedule 5 to the conditions and by the type of standard, as shown in Columns 2 and 3 of Table 1 in Schedule 5 to both the DNSP licence conditions and the Ausgrid licence, and ▼ the number of claims not paid (whether in part or full) to customers by each type of area listed in Column 1 of Table 1 in Schedule 5 to the conditions, and by type of standard, as shown in Columns 2 and 3 of Table 1 in Schedule 5 to both the DNSP licence conditions and the Ausgrid licence.

Note: 'DNSP Conditions' refers to the *Schedule listing ministerially imposed licence conditions for distribution network service providers* and the *Reliability and Performance licence Conditions for Electricity Distributors*.
'Ausgrid Licence' refers to the *Schedule of Ministerially imposed licence conditions for the operator of a Transacted Distribution System* found in the Ausgrid Licence.

5.4.2 How to lodge a quarterly standards report

Unless otherwise stated, information or notification provided to IPART should be lodged electronically via energy@ipart.nsw.gov.au, and addressed to Director, Energy Networks Regulation.

5.4.3 Information on reliability and performance audits

The licence holder's performance against the reliability and performance standards must be independently audited after the end of each financial year, with the audit report due to IPART by 30 September.¹² Under the DNSP licence conditions the audit report must also be provided to the Minister by this date. Further information on reliability and performance audits can be found in IPART's *Electricity Network Audit Guidelines*.

5.4.4 Other reporting requirements

Some licence holders may be required to report more frequently if their compliance has been unsatisfactory, as determined by IPART on a case-by-case basis. These licence holders will be notified by IPART on the reporting requirements

¹² DNSP licence conditions, conditions 18.7 and 18.12; Ausgrid Licence, conditions 7.6 and 7.12.

6 Employment guarantees

This chapter provides reporting requirements relating to Employment Guarantees provided in Schedule 4 (the Schedule) of the *Electricity Network Assets (Authorised Transactions) Act 2015* (NSW).

The Schedule provides a five year Employment Guarantee period lasting from 1 July 2015 to 30 June 2020. It sets out provisions relating to minimum employee numbers and some conditions of employment such as restrictions on changes to workplace locations and, for continuing employees,¹³ protections for current employment conditions.

Reporting requirements for this chapter apply to:

- ▼ Ausgrid
- ▼ Endeavour Energy, and
- ▼ TransGrid.

6.1 Timing and lodgement

We require network operators to report on compliance for each quarter of the financial year, and to submit that report to IPART within one month of the end of the quarter.

A pro-forma report is provided as Annexure 3 which can be filled in as needed. Unless otherwise stated, reports should be lodged electronically via energy@ipart.nsw.gov.au, and addressed to Director, Energy Networks Regulation.

6.2 Employee numbers

The following sections describe the data to be reported to IPART, and provide guidance on how IPART defines some terms in the Schedule.

6.2.1 Minimum number of employees

Section 3 of the Schedule includes an ‘appropriate staffing level’ for each network operator, measured as a minimum number of full time equivalent employees during the Employment Guarantee period.

Further, the Schedule allocates a ‘guaranteed apprenticeship intake’ to each ANO.¹⁴ These apprenticeship intakes are required during a financial year, when, in the final quarter of the previous financial year, the number of full time equivalent employees is less than or equal to 110% of the appropriate staffing level of the operator.¹⁵

¹³ *Continuing employee* is defined in cl 23 of the Schedule.

¹⁴ The Schedule, cl 15(2).

¹⁵ The Schedule, cl 15(1).

Table 6.1 outlines the reporting obligations related to clauses 3 and 15 of the Schedule. See below for definitions of some terms used in the Schedule.

Table 6.1 Quarterly data reporting requirements for full time equivalent employees

Code	Name	Description
EG1	Full time equivalent employees ^a	The number of full time equivalent employees is calculated as $F+A/B^c$
EG2	F - the average number of <i>full time employees of the network operator</i> during the relevant period ^b	The average number of <i>full time employees</i> in the relevant 3-month period. Provide data under the following headings: <ul style="list-style-type: none"> ▼ employed by the network operator ▼ employed by an <i>associated entity</i> of the network operator, and ▼ employed by an entity that provides the services of the person exclusively to the network operator on an <i>ongoing basis</i>.
EG3	A - the total number of hours worked during the relevant period by all <i>part time employees of the network operator</i>	The total number of hours worked during the relevant 3-month period, by all <i>part time employees</i> . Provide data under the following headings: <ul style="list-style-type: none"> ▼ employed by the network operator ▼ employed by an <i>associated entity</i> of the network operator, and ▼ employed by an entity that provides the services of the person exclusively to the network operator on an <i>ongoing basis</i>.
EG4	B - the average number of hours worked during the relevant period by all <i>full time employees of the network operator</i>	The average number of hours worked during the relevant 3-month period, excluding overtime hours, by all <i>full time employees</i> . Provide data under the following headings: <ul style="list-style-type: none"> ▼ employed by the network operator ▼ employed by an <i>associated entity</i> of the network operator, and ▼ employed by an entity that provides the services of the person exclusively to the network operator on an <i>ongoing basis</i>.
EG5	New apprentices employed	The number of apprentices taken on during the current financial year as new employees of the network operator, and the total number of apprentices employed as at the end of the financial year (when reporting for the 4th quarter).

^a See additional notes below in section 6.2.2.

^b The 'relevant period' is defined in cl 23 of the Schedule, and is the relevant 3-month period commencing on 1 July, 1 October, 1 January or 1 April in each year.

^c The Schedule, cl 21(1).

Note: We may request more information from a network operator against any of these data.

6.2.2 Definitions

The definition of *employee of a network operator* contained in clause 20 and clauses 16, 17 and 18 of the Schedule applies for the purposes of reporting under this manual. The definitions of *full time employee* and *part time employee*, contained in clause 21(3) of the Schedule, also apply. We have provided the relevant clauses in Appendix H.

Note: Hours taken as leave without pay (LWOP) should not be included in the calculation of full time equivalent staff. This applies to the calculation of 'F', 'A' and 'B'. For instance, if a staff member normally employed as a full time employee worked or was on paid leave for 70% of the period as a full time employee, and was on leave without pay for the remaining 30%:

- ▼ in the calculation of 'F', they would be counted as 0.7 full time employees, and
- ▼ in the calculation of 'A', there is no inclusion of their hours since the employee is not considered a part time employee, and
- ▼ in the calculation of 'B', the hours they worked are included in the numerator and 0.7 would be included in the denominator.

When a person is engaged to replace an employee on LWOP, they may be included in the full time equivalent employee calculation, as consistent with clauses 20 and 21.

Below, guidance is provided on how IPART proposes to apply certain expressions that appear in clause 20. For reporting purposes, IPART considers that:

▼ a person is an "employee of a network operator" if both of the following criteria are met:

1. The person's work is undertaken solely or primarily in connection with the business of the network, **and**
2. The criteria in either clause 20(1)(a), (b) or (c) is satisfied.

- ▼ **associated entity** is defined in clause 20(2) *Interpretation – employees of network operator* in the Schedule. It states an entity is an associated entity of a network operator if:
 - the network operator has an ownership interest in the entity or the entity has an ownership interest in the network operator, or
 - another entity has an ownership interest in both the entity and the network operator.

Note: For reporting purposes, IPART considers that an entity will be an associated entity of a network operator if:

3. the network operator owns a share, option, or other legal right by which it owns a part of the entity
 4. the entity owns a share, option, or other legal right by which it owns a part of the network operator
 5. a third entity owns shares, options, or other legal rights by which it owns a part of both:
 - a) the network operator, and
 - b) the entity.
- ▼ the expression **on an ongoing basis** means the services were provided or can reasonably be expected to be provided on a regular and systematic basis for a sequence of periods during a period of at least 12 months; and
 - ▼ the expression **primarily in connection with the business** means that, of the total hours the person in question spent working for the employer referred to in clause 20, greater than 50% were in connection with the business of the network operator. This should be calculated at the end of each relevant period for the time worked in that period.

6.3 Existing locations

Clause 9 of the Schedule requires that, for the duration for the Employment Guarantee period, the network operator must maintain an administrative office, depot or other administrative centre within the vicinity of an administrative location existing at the commencement of the Act, which is in the area of operations of its network.¹⁶

Table 6.2 outlines the reporting obligations related to section 9 of the Schedule. See below for definitions of some terms used in the Schedule.

Table 6.2 Quarterly data reporting requirements for location of administrative centres

Code	Name	Description
EG6	Changes to location of administrative office, depot or other administrative centre of the network operator	<ol style="list-style-type: none">1. The address of any existing administrative location^a which was closed in the relevant 3-month period.2. The address of any administrative office, depot, or other administrative centre <i>within the vicinity of</i> any existing administrative location reported or required to be reported under item 1 above.3. An estimate of the average travel time between the location referred to in item 1 above and the location referred to in item 2 above at the times that employees would normally travel between home and work.^b4. Detailed explanations of how the estimates referred to in item 3 above were calculated.5. The length in metres of the most practical and reasonable route between the location referred to in item 1 above and the location referred to in item 2 above.6. A statement setting out the business or other reasons why any existing administrative office, depot or other administrative centre was closed in the relevant 3-month period.

^a Existing administrative location has the meaning given by clause 9(2) of the Schedule.

^b See note in section 6.3.1.

Note: We may request more information from an authorised network operator against any of these data.

6.3.1 Definitions

For reporting purposes, IPART considers that *in the vicinity of* means 'within the area of'. IPART would consider all relevant matters, including travel time and distance, for the purposes of determining whether the other administrative office, depot or centre is within the vicinity of the *existing administrative location*.

As a guide, an administrative office, depot or centre which is within 45 minutes travel time from the *existing administrative location* would tend to be considered within the vicinity of the *existing administrative location*. However, where travel time is greater than 45 minutes, other considerations may also be relevant when applying the expression *in the vicinity*.

Note: travel time would be measured as the time of travel from the closed location to the nearest remaining open location at the times that employees would reasonably be expected to travel to work

¹⁶ The Schedule, cl 9.

from home, and vice versa at the times that employees would reasonably be expected to travel from work to home. In the first instance this would be driving time, but another transport mode, such as public transport, may also be considered where there is reasonable access to such transport between the two locations.

6.4 Disputes

The Schedule covers other areas of workplace relations, including salary, redundancies, leave entitlements, recognition of service, existing apprentices, relocation policies, enterprise agreements, superannuation, and disputes.¹⁷ These Employment Guarantees apply to *continuing employees*,¹⁸ and are enforceable by an affected employee or a person authorised to act on behalf of an affected employee or a majority of affected employees.¹⁹

IPART's role is to monitor compliance with the obligations of the network operators under the Schedule, and to enforce the obligations where a network operator has failed to comply.²⁰

A dispute in relation to the subject matter of an Employment Guarantee (excluding clauses 3, 9 and 15) may be resolved in accordance with the *Fair Work Act 2009* (Cth) or any dispute resolution process applicable to the employee.²¹ We encourage use of the dispute resolution processes available at the Fair Work Commission, where it falls within the Commission's jurisdiction. When agreement is not reached by the parties through the conciliation and mediation processes offered, the Fair Work Commission may be required to arbitrate. IPART, however, remains the responsible body for compliance with the Employment Guarantees, and whilst we may consider the Fair Work Commission's deliberations, we will independently monitor and enforce the obligations of the Employment Guarantees.

Table 6.3 shows the reporting obligations related to other areas of workplace relations covered by the Schedule.

Table 6.3 Quarterly data reporting requirements for workplace relations disputes

Code	Name	Description
EG7	New workplace disputes over the relevant period	<p>Report on the number of new disputes taken to the Fair Work Ombudsman or the Fair Work Commission in the relevant 3-month period. Provide data under each of the following categories:</p> <ul style="list-style-type: none"> ▼ salary disputes involving an alleged breach of clause 2 of the Schedule, connected with the business of the network operator ▼ redundancy disputes involving an alleged breach of clause 4 and/or clause 5 of the Schedule, connected with the business of the network operator ▼ leave entitlement disputes involving an alleged breach of clause 6 of the Schedule, connected with the business of the network operator ▼ recognition of service disputes involving an alleged breach of clause 7 of the Schedule, connected with the business of the network operator ▼ relocation policy disputes involving an alleged breach of clause 10 of the Schedule, connected with the business of the network operator

¹⁷ The Schedule, cls 2, 4-7 and 10-14.

¹⁸ The Schedule, cl 23.

¹⁹ The Schedule, cl 8(2).

²⁰ The Schedule, cl 8.

²¹ The Schedule, cl 13.

Code	Name	Description
		<ul style="list-style-type: none"> ▼ superannuation disputes involving an alleged breach of clause 12 of the Schedule, connected with the business of the network operator, and ▼ existing apprentice disputes involving an alleged breach of clause 14 of the Schedule, connected with the business of the network operator.
EG8	Workplace disputes resolved over the relevant period	<p>Report on the number of disputes resolved at the Fair Work Ombudsman or the Fair Work Commission in the relevant 3-month period. Provide data under each of the following categories:</p> <ul style="list-style-type: none"> ▼ salary disputes involving an alleged breach of clause 2 of the Schedule, connected with the business of the network operator ▼ redundancy disputes involving an alleged breach of clause 4 and/or clause 5 of the Schedule, connected with the business of the network operator ▼ leave entitlement disputes involving an alleged breach of clause 6 of the Schedule, connected with the business of the network operator ▼ recognition of service disputes involving an alleged breach of clause 7 of the Schedule, connected with the business of the network operator ▼ relocation policy disputes involving an alleged breach of clause 10 of the Schedule, connected with the business of the network operator ▼ superannuation disputes involving an alleged breach of clause 12 of the Schedule, connected with the business of the network operator, and ▼ existing apprentice disputes involving an alleged breach of clause 14 of the Schedule, connected with the business of the network operator.
EG9	Workplace disputes ongoing at end of period	<p>Report on the number of disputes ongoing at the Fair Work Ombudsman or the Fair Work Commission in the relevant 3-month period. Provide data under each of the following categories:</p> <ul style="list-style-type: none"> ▼ salary disputes involving an alleged breach of clause 2 of the Schedule, connected with the business of the network operator ▼ redundancy disputes involving an alleged breach of clause 4 and/or clause 5 of the Schedule, connected with the business of the network operator ▼ leave entitlement disputes involving an alleged breach of clause 6 of the Schedule, connected with the business of the network operator ▼ recognition of service disputes involving an alleged breach of clause 7 of the Schedule, connected with the business of the network operator ▼ existing apprentice disputes involving an alleged breach of clause 14 of the Schedule, connected with the business of the network operator ▼ relocation policy disputes involving an alleged breach of clause 10 of the Schedule, connected with the business of the network operator, and ▼ superannuation disputes involving an alleged breach of clause 12 of the Schedule, connected with the business of the network operator.

Note: We may request more information from a network operator against any of these data.

7 Compliance with the NSW Code of Practice for Authorised Network Operators

This chapter of the reporting manual outlines reporting requirements to allow IPART to hold the ANOs accountable against their obligations under the Code. This is in addition to, not in substitution of, any other obligations under the *Environmental Planning and Assessment Act 1979* (NSW), or any other legislation, statutory instrument, licence condition or applicable code.

The NSW Code of Practise for Authorised Network Operators (the Code)²² has been developed by the Department of Planning & Environment to manage how work undertaken by, or on behalf of, the leased electricity network operators (ie, the Authorised Network Operators (ANOs)) will be assessed in terms of its environmental impact. IPART is responsible for monitoring compliance with the Code.

IPART may audit an ANO's compliance with the Code. Audits may be conducted periodically or as 'spot audits' in response to a particular possible breach of the Code.²³ An ANO is required to report a serious breach of the Code to IPART as soon as reasonably practicable after the ANO becomes aware of the breach. It also must provide a report on the breaches of the Code along with other reporting requirements on Environment Impact Assessments (EIAs) to IPART by 30 April each year, or as otherwise specified by IPART.

Reporting requirements for this chapter apply to:

- ▼ Ausgrid
- ▼ Endeavour Energy, and
- ▼ TransGrid.

7.1 Immediate reporting of a breach of the Code

An ANO is required to report a serious breach of the Code 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.

²² Issued under clause 244K of the *Environmental Planning and Assessment Regulation 2000* (NSW).

²³ The Code, p 35. IPART can either conduct an audit itself, or require an ANO to nominate a suitably qualified person to conduct the audit. The nomination must be approved by IPART, and the auditor will conduct the audit and provide a report to IPART at the expense of the ANO.

7.1.1 How to notify us

Immediate notification takes the form of a telephone call to the *Director* ((02) 9290 8412) or the *General Manager* ((02) 9113 7762) of Electricity Licensing and Compliance at IPART. This is to be followed by written confirmation to IPART's Chief Executive Officer from the Chief Executive Officer (or equivalent) of the ANO concerned within five business days. The notification must include:

- ▼ the extent and nature of the non-compliance (including whether and how many customers and/or other licence holders have been affected)
- ▼ reasons for non-compliance
- ▼ actions taken to rectify the breach and to prevent it reoccurring, and
- ▼ actual or anticipated date of full compliance.

7.2 Annual reporting of breaches of the Code

The ANO is required to provide a report to IPART by 30 April each year.²⁴ The annual compliance report must include all non-compliances with the obligations in the Code, and for each non-compliance, should provide:

- ▼ the extent and nature of the non-compliance including outcomes and risks
- ▼ the reasons for non-compliance
- ▼ the actions taken, or proposed, to rectify the non-compliance and to prevent it reoccurring
- ▼ the actual/anticipated date of full compliance, and the progress of the remedial action as at the end of year
- ▼ any breach that is subject to immediate notification should also be summarised in the annual compliance reports, including an update of any further actions taken by the licence holder with respect to the breach and an indication of whether any further breaches of the same obligation have occurred, and
- ▼ any other relevant information.

Table 7.1 provides the reporting requirements to be included in each annual compliance report. Each requirement is related to obligations in the Code to which an ANO must adhere. More details of these obligations are provided in Appendix G, and the Code should be used as the first reference.

Further, the annual report should provide information on environmental impacts of the projects undertaken as specified in Section 7.3.

²⁴ Or such other date agreed to in writing by IPART.

Table 7.1 Reporting non-compliances with the Code

IPART Code	Name of reporting requirement	Description of reporting requirements
EPA1	Data on any complaints received regarding EIA ^a documents	Report any complaints received regarding EIA documents in the preceding year, and include a brief explanation of: <ul style="list-style-type: none"> ▼ The nature of each complaint. ▼ The response to the complaints.
EPA2	Outcomes required from the scoping and legislative review phase	Report any non-compliances with the outcomes required from the scoping and legislative review phase of the EIA, as listed in section 2.3.2 of the Code.
EPA3	Outcomes required from the assessment and evaluation phase	Report any non-compliances with the outcomes required from the assessment and evaluation phase of the EIA, as listed in section 2.3.4 of the Code.
EPA4	Outcomes required from the consultation phase	Report any non-compliances with the outcomes required from the consultation phase of the EIA, as listed in section 2.3.7 of the Code.
EPA7	Requirements surrounding the 'consultation protocol'.	Report any non-compliances with obligations surrounding publication of the 'consultation protocol', as listed in section 2.3.6 of the Code.
EPA8	Information requirements for SER ^b documents	Report any non-compliances with the information requirements to be included in SER documents, as listed in section 2.4.2 of the Code.
EPA9	Information requirements for REF ^c documents.	Report any non-compliances with the information requirements to be included in REF documents, as listed in section 2.4.3 of the Code.
EPA5	Outcomes required from the determination stage	Report any non-compliances with the outcomes required from the determination stage of the EIA, as listed in section 2.5.1 of the Code.
EPA6	Outcomes required from the implementation stage	Report any non-compliances with the outcomes required from the implementation stage of the EIA, as listed in section 2.6.3 of the Code (where an activity is to be implemented by the ANO or by a third party on its behalf).
EPA10	Retention of the EIA process documentation	Report any non-compliances with the requirements to retain documents related to the EIA, as specified in section 4.3 of the Code.
EPA11	Publication and availability of the EIA process documentation.	Report any non-compliances with the requirements to publish and make available the documents related to the EIA, as specified in section 4.4 of the Code.
EPA12	Responding to requests for access to a document	Report any non-compliances with the requirements to respond to requests for access to certain documents of the EIA process, as specified in section 4.6 of the Code.

^a Environmental Impact Assessment.

^b Summary Environmental Report.

^c Review of Environmental Factors.

7.3 Reporting requirements on EIAs

Different reporting requirements apply to transmission and distribution operators as specified below.

7.3.1 Reporting requirements for transmission network operators

Table 7.2 Number of projects in class 3

Project type for transmission systems	Number of SERs undertaken ^a
Activities related to existing substation or communication sites	
Installation of Optical Ground Wire on existing transmission lines	
Tower refurbishments on existing transmission lines	
Pole replacements on existing transmission lines	
Activities related to existing cables	
Other	
Total	

Table 7.3 Number of projects in class 4

Project type for transmission systems	Number of REFs
New substations	
New transmission lines	
New communications sites	
Activities related to existing substations	
Activities related to existing communications sites	
Activities related to existing transmission lines	
Other	
Number of projects for which an SIS (but not an EIS) was deemed necessary	
Number of projects for which an EIS was deemed necessary and were escalated to the Minister.	

Note: Provide, additionally, a description of the projects for which an REF was undertaken.

7.3.2 Reporting requirements for distribution network operators

Distribution ANOs should report the following for class 3 activities:

- ▼ Number of SERs completed for the year.
- ▼ A list and link to any final EIA documentation of Decision Statements for a class 3 activity released to a member of the public.
- ▼ Other details of such activity that IPART may require.

Reporting requirements for classes 4, 5 and 6 projects for distribution ANOs are given in Table 7.4.

Table 7.4 Information on class 4, 5 and 6 activities

Project name	Project class	Asset categorisation	Project description	EIA web link
		Overhead: <input type="checkbox"/> Underground: <input type="checkbox"/> Transformer: <input type="checkbox"/> Switchgear: <input type="checkbox"/>		
		Overhead: <input type="checkbox"/> Underground: <input type="checkbox"/> Transformer: <input type="checkbox"/> Switchgear: <input type="checkbox"/>		
		Overhead: <input type="checkbox"/> Underground: <input type="checkbox"/> Transformer: <input type="checkbox"/> Switchgear: <input type="checkbox"/>		
		Overhead: <input type="checkbox"/> Underground: <input type="checkbox"/> Transformer: <input type="checkbox"/> Switchgear: <input type="checkbox"/>		

7.3.3 Lodgement of an annual report

Annual compliance reports for the calendar year ending 31 December must be lodged by email by 30 April the following year. Name and contact details (phone, email) of the primary contact IPART can liaise with when assessing compliance should also be provided. An alternative contact for those times when the primary contact is unavailable should also be nominated.

Unless otherwise stated, reports should be lodged electronically via energy@ipart.nsw.gov.au, and addressed to Director, Energy Networks Regulation.



Appendices



A Incident reporting matrix

A.1 Introduction

The definitions of reportable events in Table A.1 below apply to the following situations:

- ▼ where *electricity works* are involved,²⁵ ie, any electricity power lines or associated equipment or electricity structures that form part of a transmission or distribution system²⁶ (also known within industry as electrical mains and apparatus), or
- ▼ incidents or near-misses involving network operator employees and contractors relating to bushfire risk management work within private electrical installations.

The term “Serious Electricity Works Accident” (SEWA) used in Table A.1 below has the meaning given in the *Electricity Supply Act 1995* (NSW). That is, it is an accident:

- a) in which electricity works are involved, and
- b) as a consequence of which a person dies or suffers permanent disability, is hospitalised, receives treatment from a health care professional or is unable to attend work for any period of time.

Shocks from electrical installations, except where identified in the table below, are not reportable to IPART as a SEWA, however they may be reportable to the Office of Fair Trading as Serious Electrical Accidents under the *Electricity (Consumer Safety) Act 2004* (NSW).

²⁵ The term *electricity works are involved* refers to where the involvement of the electricity works has played a role in the occurrence or outcome of an incident.

²⁶ As defined in the *Electricity Supply Act 1995* (NSW).

Table A.1 Incident Reporting Matrix

Category	Notification/Report timeframe; information required	People – to both workers and members of public	Property - third party ^a	Reliability
1. Major Incident ^b (Licence condition for distributors to report within 24 hours to Minister and IPART)	<p>Notification to Minister:</p> <ul style="list-style-type: none"> ▼ Immediate / 24 hours notification <p>Notification of SEWAs to SafeWork</p> <ul style="list-style-type: none"> ▼ Immediate / 24 hours notification <p>Stage 1 report to IPART:</p> <ul style="list-style-type: none"> ▼ as soon as practicable after becoming aware – no later than 2 business days <p>Stage 2 report to IPART:</p> <ul style="list-style-type: none"> ▼ no later than 14 calendar days <p>Stage 3 report to IPART:</p> <ul style="list-style-type: none"> ▼ no later than 90 calendar days^g 	<p>SEWAs, or events rising from bushfire risk management work being undertaken on private overhead electricity lines, where there is significant injury to a person/s, resulting in:</p> <ul style="list-style-type: none"> ▼ fatality ▼ permanent disability ▼ permanent life changing injuries, or ▼ life threatening injuries. <p>Excludes motor vehicle accidents on dedicated roadways defined in Category 3 – Other SEWAs.</p> <p>(Also see <i>Note c</i> regarding fatality or serious injury or illness notification under the WHS Act)</p>	<p>Significant loss of property – damage >\$500,000</p> <p>Fires for which the Commissioner has taken charge under s44 of the <i>Rural Fires Act 1997</i> (NSW), where the network operator has reasonable suspicion that the cause of the fire may have been from electricity works</p>	<p>Widespread supply interruption All Network Operators</p> <ul style="list-style-type: none"> ▼ Where a state of emergency has been declared under the <i>State Emergency and Rescue Management Act 1989</i> (NSW) due to the impact of an outage, or the cause of the state of emergency places the network at risk of loss of supply/failure. ▼ The network operator has classified it as a significant outage (as part of their ENSMS or incident management system) due to adverse impact or disruption to the community. ▼ Where the outage causes the loss of network supply, for greater than 2 hours, to significant community infrastructure such as: <ul style="list-style-type: none"> – Peer group A1, A2, A3 and B hospitals.^d – Road tunnels on motorways that have emergency evacuation systems.^e – Rail and air transport

Category	Notification/Report timeframe; information required	People – to both workers and members of public	Property - third party ^a	Reliability
				<p>systems where travel is affected.</p> <ul style="list-style-type: none"> – Events and buildings where greater than 5000 people could be affected by an outage. – Other community infrastructure determined by the Network Operator to be of National, State or Regional significance. <p>Distribution</p> <ul style="list-style-type: none"> ▼ > 5000 customers for > 4 hours <p>Transmission</p> <ul style="list-style-type: none"> ▼ An interruption amounting to >0.25 System Minutes^f <p>System Minutes is to be calculated in accordance with the loss of supply event frequency parameter applicable to the transmission operator in terms of the current AER STPIS determination.</p>
2. Incident	<p>Notification of SEWAs to SafeWork</p> <ul style="list-style-type: none"> ▼ Immediate / 24 hours notification <p>Stage 1 report to IPART:</p> <ul style="list-style-type: none"> ▼ as soon as practicable after 	<p>Serious Electricity Works Accident – injury that does not meet the criteria for a Category 1 – major incident, but leads to a person/s:</p> <ul style="list-style-type: none"> ▼ being hospitalised (where hospitalised means ‘is admitted as an in-patient’), or 	<p>Loss of property – damage >\$100,000</p> <p>or</p> <p>Fires for which the Commissioner has not</p>	<p>All Network Operators</p> <ul style="list-style-type: none"> ▼ An outage that has contributed to the declaration of, or resulted from, a Major Event Day (MED). Note that all outages related to a

Category	Notification/Report timeframe; information required	People – to both workers and members of public	Property - third party ^a	Reliability
	<p>becoming aware – no later than 2 business days</p> <p>Stage 2 report to IPART: ▼ no later than 14 calendar days</p> <p>Stage 3 report to IPART: ▼ no later than 90 calendar days⁹</p>	<p>▼ receiving treatment from a health care professional^h and is unable to attend work for a full shift or more (this does not include the shift during which the incident occurred).</p> <p>Excludes motor vehicle accidents defined in Category 3 – Other SEWAs.</p> <p>(Also see <i>Note c</i> regarding fatality or serious injury or illness notification under the WHS Act)</p>	<p>taken charge under s44 of the <i>Rural Fires Act 1997</i> (NSW), but have burnt an area >10ha and where the network operator has reasonable suspicion that the cause of the fire may have been from the electricity network</p> <p>or</p> <p>Fires that have impacted on environmentally sensitive areas, cultural or heritage sites</p>	<p>declared MED will be regarded as a single incident if the MED is declared subsequent to the outages.</p> <p>Distribution N/A (addressed by quarterly license compliance reporting)</p> <p>Transmission ▼ An interruption amounting to >0.05 System Minutes</p> <p>System Minutes is to be calculated in accordance with the loss of supply event frequency parameter applicable to the transmission operator's current AER STPIS determination.</p>
3. Other SEWAs	<p>Report to IPART ▼ Stage 1 report no later than 7 (calendar) days</p> <p>Note: the Stage 1 report to IPART meets the notification requirement for category 3 incidents</p>	SEWAs that do not meet a category 1 or category 2 incident, including motor vehicle accidents (eg, vehicle impact to pole) where electricity did not contribute to the fatality/injury.	N/A	N/A
4. Significant Near Miss	<p>Combined Stage 1 and Stage 2 report to IPART: ▼ no later than 30 calendar days</p> <p>Stage 3 report to IPART:</p>	Where a dangerous incident ⁱ relating to electricity works has occurred or, as a result of failures in procedural controls (eg, network access permits/authorities), may have occurred resulting in a serious risk to any person's health or safety	Electric shock, electrical burns or flash burns that cause fatalities only of livestock or domestic pets as a result of contact with electricity works.	N/A

Category	Notification/Report timeframe; information required	People – to both workers and members of public	Property - third party ^a	Reliability
	▼ no later than 90 days ⁹	<p>(including if no injury was received) emanating from an immediate or imminent exposure to:</p> <ul style="list-style-type: none"> ▼ an uncontrolled escape, spillage or leakage of a substance ▼ an uncontrolled implosion, explosion or fire ▼ an uncontrolled escape of gas or steam ▼ an uncontrolled escape of a pressurised substance ▼ electric shock where only diagnostic monitoring eg, ECG, has been carried out ▼ the fall or release from a height of any plant, substance or thing ▼ the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations ▼ the collapse or partial collapse of a structure ▼ the collapse or failure of an excavation or of any shoring supporting an excavation ▼ the inrush of water, mud or gas in workings, in an underground excavation or tunnel, or ▼ the interruption of the main system of ventilation in an underground excavation or tunnel. 		

Category	Notification/Report timeframe; information required	People – to both workers and members of public	Property - third party ^a	Reliability
5. Near Miss	Combined Stage 1 and Stage 2 report to IPART: ▼ no later than 30 days	Where an event meeting one of more of the categories below occurred and a person could have been injured due to electricity works: ▼ contact made with OH assets by public workers or general public ▼ contact made with UG assets by public workers or general public ▼ contact with navigable waterway crossings (overhead or submarine) to be specifically identified ▼ breach of network operator's safe approach distances to network assets. This distance is as defined by the network operator's safety management system for the authorisation/class of the person ▼ unauthorised access of a person to electricity works (including substation grounds and buildings) by public ▼ unassisted pole failures ^j where no injury results ▼ reverse polarity or defective neutral connections of service connections that resulted from work carried out by a network operator worker or contractor, or an ASP.	N/A	N/A

^a Third party property damage is defined as property damage that is not loss or damage to network assets.

^b Major incidents are regarded as 'High Level Severity' for the purpose of Licence Conditions for Distribution Network Service Providers.

^c Section 38 of the *Work Health and Safety Act 2011* (NSW) requires that incidents that involve a worker or workplace resulting in a fatality or a serious injury or illness of a person, as defined by section 36 of WHS Act, are notifiable to SafeWork NSW. Where these incidents involve electricity works they are also to be notified to IPART as an Incident or Major Incident as applicable. In practice these incidents are likely to meet the definition of a Serious Electricity Works Accident. For reference, serious injury or illnesses that are notifiable include where immediate treatment is required as an in-patient in a hospital, or is required for:

- the amputation of any part of his or her body
- a serious head injury
- a serious eye injury
- a serious burn
- the separation of his or her skin from an underlying tissue (such as degloving or scalping)
- a spinal injury
- the loss of a bodily function, or
- serious lacerations

or where medical treatment has been provided within 48 hours of exposure to a substance.

d As identified in the Bureau of Health Information – Hospital Quarterly – Activity and performance in NSW public hospitals, October to December 2015.

e Motorways are roads designated with an 'M' prefix as per the Roads and Maritime Services (www.rms.nsw.gov.au/roadnumbers).

f Due to the unique nature of the DirectLink network, it is not required to report on reliability incidents.

g Where a network operator considers a 90 day reporting date is not achievable it may apply for an extension.

h Where treatment is 'any medical procedure, other than diagnostic medicine' and health care professional is defined in the *Electricity Supply Act 1995* (NSW).

i A dangerous incident as defined by section 37 of the *Work Health and Safety Act 2011* (NSW).

j Unassisted pole failures are defined as the pole breaking or collapsing otherwise than because of:

- a force exceeding the failure limit or design wind load specified in the applicable standard, or
- a lightning strike, earthquake, fire or flood, or
- malicious damage, or
- excavation other than by a person for whom the network operator is responsible, or
- any other similar occurrence beyond the control of the network operator.

References/Definitions:

ASP	Accredited Service Provider as per Part 3 of the <i>Electricity Supply (Safety & Network Management) Regulation 2014</i> (NSW).
ENSMS	Electricity Network Safety Management System
OH	Overhead
UG	Underground

B Event classifications

The event classification allows for consistent reporting of event types associated with incidents and near misses. Each classification has been assigned a code as described by the *Type of Occurrence Classification System 3rd Edition*,²⁷ section F 'Mechanism of incident classification' published by the Australian Safety and Compensation Council in 2008. The event codes and associated classifications have been summarized below.

Table B.1 Event classification table

Code	Descriptor
GROUP 0	FALLS, TRIPS AND SLIPS OF A PERSON
01	Falls from a height
02	Falls on the same level
03	Stepping, kneeling or sitting on objects
GROUP 1	HITTING OBJECTS WITH A PART OF THE BODY
11	Hitting stationary objects
12	Hitting moving objects
13	Rubbing and chafing
GROUP 2	BEING HIT BY MOVING OBJECTS
21	Being hit by falling objects
22	Being bitten by an animal
23	Being hit by an animal
24	Being hit by a person accidentally
25	Being trapped by moving machinery or equipment
26	Being trapped between stationary and moving objects
27	Exposure to mechanical vibration
28	Being hit by moving objects
29	Being assaulted by a person or persons
GROUP 3	SOUND AND PRESSURE
31	Exposure to single, sudden sound
32	Long-term exposure to sounds
38	Explosion
39	Other variations in pressure
GROUP 4	BODY STRESSING
41	Muscular stress while lifting, carrying, or putting down objects
42	Muscular stress while handling objects other than lifting, carrying or putting down
43	Muscular stress with no objects being handled
44	Repetitive movement, low muscle loading

²⁷ Australian Safety and Compensation Council Canberra, *Type of Occurrence Classification System*, Third Edition (Rev 2), May 2008.

Code	Descriptor
GROUP 5	HEAT, ELECTRICITY AND OTHER ENVIRONMENTAL FACTORS
51	Contact with hot objects
52	Contact with cold objects
53	Exposure to environmental heat
54	Exposure to environmental cold
55	Exposure to non-ionising radiation
56	Exposure to ionising radiation
57	Contact with electricity
58	Drowning/immersion
59	Exposure to other and unspecified environmental factors
GROUP 6	CHEMICALS AND OTHER SUBSTANCES
61	Single contact with chemical or substance
62	Long term contact with chemicals or substances
63	Insect and spider bites and stings
64	Contact with poisonous parts of plant or marine life
69	Other and unspecified contact with chemical or substance
GROUP 7	BIOLOGICAL FACTORS
71	Contact with, or exposure to, biological factors of non-human origin
72	Contact with, or exposure to, biological factors of human origin
79	Contact with, or exposure to, biological factors of unknown origin
GROUP 8	MENTAL STRESS
81	Exposure to a traumatic event
82	Exposure to workplace or occupational violence
84	Work pressure
85	Suicide or attempted suicide
86	Other mental stress factors
87	Work related harassment and/or workplace bullying
88	Other harassment
GROUP 9	VEHICLE INCIDENTS AND OTHER
91	Slide or cave-in
92	Vehicle incident
93	Rollover
98	Other and multiple mechanisms of incident
99	Unspecified mechanisms of incident

C Incident reporting – classification of causal factors

The system of causal factor classifications provides a consistent approach to categorising the causal factors identified during the investigation of an incident. When reporting, each incident is to have its causal factor identified and classified to the most appropriate tier.

Table C.1 Classification of causal factors

Tier 1 causal factor	Tier 2 causal factor	Tier 3 causal factor	Tier 4 causal factor
Organisational and System Factors	Hardware		
	Training		
	Organisation		
	Communication		
	Incompatible Goals		
	Procedures		
	Maintenance Management	Maintenance regime	
		Last maintained	
		Last inspected	
	Technical/Asset Management	Conductor clashing	
		Design and maintenance	
		Lubrication	
		Calibration	
		Moisture ingress	
		Incorrect design	
		Age	
		Degradation	
		Rot	
		Fungal body	
		Fatigue	
		Electrical	
		Neutral fault	
		Earth fault	
		Induction	
		HV injection	
Organisational and System Factors (continued)	Technical/Asset Management (continued)	Out of balance load	
		Reverse polarity	
		Failure	
		Electrical breakdown	

Tier 1 causal factor	Tier 2 causal factor	Tier 3 causal factor	Tier 4 causal factor
		Electrical overload	
		Mechanical breakdown	
		Mechanical overload	
		Mechanical vibration	
		Insulator	
		Defective component	
	Design		
	Risk Management		
	Management of Change		
	Contractor Management		
	Organisational Culture		
	Regulatory influence		
	Organisational Learning		
	Vehicle Management	Vehicle impact	Pole
			Tower
			Conductor
			Pillar
			Substation
		Manned Aircraft impact	Pole
			Tower
			Conductor
			Overhead electricity network maps requested
		Unmanned Aircraft impact	
		Boat impact – waterway crossing	Pole
			Tower
			Conductor – Overhead
			Conductor – Submarine
Task and Environmental Conditions	Management Systems		
	Workplace/ Environment	Task planning / preparation / manning	
		Hazard analysis / Job Safety analysis / take 5	
		Work procedures availability and suitability	
		Permit to Work availability and suitability	
		Abnormal operational situation / conditions	
		Tools / equipment condition / availability	
		Material availability and suitability	

Tier 1 causal factor	Tier 2 causal factor	Tier 3 causal factor	Tier 4 causal factor
		Equipment integrity	
		Housekeeping	
		Environmental	Weather conditions
			Lightning
			Precipitation
			Fire
			Flood damage
			Wind
			Humidity
			Climate
			Heat
			Cold
		Congestion / restriction / access	
		Routine / non-routine tasks	
		Fire and explosion hazard	
		Lighting	
		Equipment / material temperature / conditions	
		Noise	
		Ventilations	
		Gas, dust or fumes	
		Radiation	
		Chemical	
Task and Environmental Conditions (continued)	Workplace/Environment (continued)	Wildlife	Bird (large wader)
			Bird (raptor)
			Bird (other)
			Bat
			Reptile
			Possum (glider)
			Possum (other)
			Rodent
			Insect infestation
			Termites
			Other (specify)
		Tree	Alive/dead
			Falling/blown
			Pruning/clearing
			Within clearances
		Location	Erosion
			Unstable soil
			Pollution

Tier 1 causal factor	Tier 2 causal factor	Tier 3 causal factor	Tier 4 causal factor
			Coastal proximity
		Surface gradient/conditions	
		Community	Building structure Too close to no-go zone?
			No go zone (working too close) Overhead Underground/Submarine Cable plans (Dial before you dig) on site? Cable plans (Dial before you dig) request from network operator?
			Switchyard
			Wilful act
			Vandalism
			Theft
			Terrorism
			Interference
			Unauthorised work
Task and Environmental Conditions (continued)	Workplace/ Environment (continued)	Community (continued)	Public
			Recreation
			Fishing
			Kites
			Helium (party) balloons
		Other factors	
	Human factor	Complacency/ motivation	
		Drugs/alcohol influence	
		Familiarity with task	
		Fatigue	
		Situational awareness	
		Time/productivity pressures	
		Peer pressure/supervisory example	
		Physical capability	
		Mental capability	
		Physical stress	
		Mental stress	
		Confidence level	
		Secondary goals	
		Personal issues	
		Distraction/pre-	

Tier 1 causal factor	Tier 2 causal factor	Tier 3 causal factor	Tier 4 causal factor
		occupation	
		Experience/knowledge/skill for task	
		Competency	
		Behavioural beliefs (gains > risks)	
		Personality/attitude	
		Poor communications	
		Poor shift patterns & overtime working	
		Passive tolerance of violations	
		Perceived licence to bend rules	
		Change of routines	
Task and Environmental Conditions (continued)	Human factor (continued)	Reliance on undocumented knowledge	
		Training	
		Other Human Factors	
Individual and Team Actions	Supervisory error or violation		
	Operating authority error or violation		
	Operating speed		
	Equipment use error or violation		
	PPE use error or violation		
	Procedural compliance		
	Electrical isolation and/or permits		
	Change management error		
	Equipment/material handling error or violation		
	Horseplay/thrill seeking error or violation		
	Hazard recognition/perception		
	Hazard management error or violation		
	Work method error or violation		
	Occupational hygiene practices		
	Other		

Tier 1 causal factor	Tier 2 causal factor	Tier 3 causal factor	Tier 4 causal factor
Absent or Failed Defences	Awareness	Hazard identification	
		Communication	
		Competence knowledge	
	Detection	Supervision	
		Visual warning systems	
		Aural warning systems	
Absent or Failed Defences (continued)	Detection (continued)	Speed / movement detectors	
		Vigilance / fatigue	
	Control and Recovery	Gas / substance	
		Procedures	
		Bypass valves / circuits	
	Protection and Containment	Emergency shut down	
		PPE	
		Fire fighting	
	Escape and Rescue	Split response	
		Bunding / barricading / exclusion zones	
		Safe access / egress	
	Other	Emergency planning / response	
		Emergency communication	

D Annual Compliance Report Pro-forma

Annual Compliance Report for 20 -
Submitted by [name] ACN:

To: The Chief Executive Officer
Independent Pricing and Regulatory Tribunal of NSW PO
Box K35
Haymarket Post Shop NSW 1240

[Name] reports as follows:

1. This report documents compliance during [financial year] with all obligations to which [name] is subject by virtue of its Transmission Operator or Distribution Network Service Provider Licence.
2. This report has been prepared by [name] with all due care and skill in full knowledge of conditions to which it is subject and in compliance with IPART's [current Electricity Network Reporting Manual]/[Transmission/Distribution Electricity Network Performance Report].
3. Schedule A provides information on all obligations with which [name] did not fully comply during [financial year].
4. Other than the information provided in Schedule A, [name] has complied with all conditions to which it is subject.
5. This compliance report has been approved by the Chief Executive Officer (or equivalent) and the Chairman of the Board of Directors (or a duly authorised board member other than the CEO) of [name] at its meeting on [date].

DATE: DATE:

Signed: Signed:

Name: Name:

Designation:..... Designation:

Schedule A Non-Compliance^a

IPART Code ^b	Reporting period in which the breach occurred ^c	List obligations breached, including a brief description of each obligation ^d	Describe: Nature and extent of non-compliance (including whether and how many customers and/or other licence holders have been affected) Reasons for non-compliance Remedial action taken Actual/anticipated date of full compliance

^a Licence holders should report only breaches that were identified during the reporting period.

^b See code listed in tables E.1 and F.1.

^c Licence holders should indicate whether the breach occurred in the first half of the financial year, the second half of the financial year, or both.

^d Licence holders should include, for example: ES (General) Reg cl 24(2) – Certain information must be included in a bill issued by the distributor.

E Electricity distributor licence conditions and obligations

Table E.1 Distributor licence conditions and obligations in the *Electricity Supply Act 1995 (NSW) (ESA)* - applicable to all licensed distribution network operators

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation on licensed distributors in the <i>Electricity Supply Act 1995</i>	Reporting
DL1	ESA section 15A(8) and ESA section 15A(3) ^a	Small renewable energy generators – customer connection services	<p>A distributor must, on application by or on behalf of a former regulated offer customer or small customer, provide customer connection services so as to connect, or permit to be connected, a complying generator to its distribution network if:</p> <ul style="list-style-type: none"> a) The generator to be installed at the premises is in the distributor's distribution district. b) The former regulated offer customer or small customer has a right under the <i>National Energy Retail Law (NSW)</i> to be provided with customer connection services at those premises. 	
DL2	ESA section 15A(8) and ESA section 15A(5)	Small renewable energy generators – customer credits	A distributor must record a credit against charges payable at the amount of \$0.20 (or other amount prescribed by the regulations) per kilowatt hour, in respect of a former regulated offer customer, for electricity that is produced by a complying generator installed and connected at a former regulated offer customer's premises and is supplied to the distribution network by the former regulated offer customer. This amount must be reduced in accordance with ESA section 15A(5A) by the amount determined by IPART, under Division 5 part 4 of the ESA, as the retailer benefit component for the supply of electricity.	Annual
DL3	ESA section 15A(8) and ESA section 15A(6)	Small renewable energy generators – provision of information to retailers	A distributor must provide a retailer with details of the amount of credit that has been recorded under ESA section 15A for electricity supplied to the network by each former regulated offer customer of the retailer and any other information required to be supplied by the regulations or market operations rules.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation on licensed distributors in the <i>Electricity Supply Act 1995</i>	Reporting
DL4	ESA section 15A(8), ESA section 15A(7), ES (General) Reg cl 61(8) and (9)	Small renewable energy generators – provision of information to the Minister and Secretary	<p>A distributor must provide to the Minister and the Secretary the following information at such times as prescribed by the regulations:</p> <ul style="list-style-type: none"> a) the total number of former regulated offer customers or small customers in the distributor's distribution district who have installed and connected a complying generator b) the postcodes of those former regulated offer customers or small customers c) the total generating capacity of all such generators in the distribution district d) such information as is available to the distributor about the amount of electricity supplied to the distribution network by complying generators in the distributor's distribution district during such periods as may be prescribed by the regulations, and e) any other matter that may be prescribed by the regulations. <p>A distributor must also provide to the Secretary, at the times and in the form that the Secretary may request, the following information in relation to a customer who has connected, or applied to connect, a complying generator:</p> <ul style="list-style-type: none"> a) the date that the application to connect the generator was received by the distributor b) the name and address of the customer and the address where the generator is, or is to be, installed c) the name and address of the person (if any) who made the application on behalf of the customer d) whether the customer is a customer eligible for a credit under section 15A of the ESA and if so, the reason why e) the rate per kilowatt hour recorded, or to be recorded, in respect of electricity supplied by the customer f) the name, licence number and contact details of the person who installed, or is to install, the generator. 	Annual
DL5	ESA section 15A(8) and ESA section 15A(8E)	Small renewable energy generators – customer credits	A distributor is not to record a credit under ESA section 15A(8E) in respect of electricity produced by a generator that is first connected to the distribution network on or after the date specified in a notice under ESA section 15A(8).	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation on licensed distributors in the <i>Electricity Supply Act 1995</i>	Reporting
DL6	ESA section 16	Retail market - network operations	A distributor must not operate its distribution system for the purpose of conveying electricity for or on behalf of any person unless the person is a retailer or a Registered participant within the meaning of the <i>National Electricity (NSW) Law</i> .	Annual
DL7	ESA section 32G(1) and ESA section 32B(1)	Distributor levy	A distributor must pay the distributor's levy determined in respect of that year by order of the Governor on the recommendation of the Treasurer, and published in the Gazette.	Annual
DL8	ESA section 32G(1) and ESA section 32F(1)	Distributor levy – payment and recovery	The distributor levy is payable at such times and in such a manner as are determined in the order imposing, varying or adjusting it or agreed on between the Treasurer and the distributor.	Annual
DL9	ESA section 43E(1) and ESA section 43B(3)	Electricity pricing - determinations	An electricity network pricing determination that includes an amount determined by an order is not to be further increased in accordance with section 43B.	Annual
DL10	ESA section 43E(1) and ESA section 43D(1)	Electricity pricing - returns	A distributor is required to furnish to the Treasurer such information relating to forecast and actual consumption of electricity by customers as specified by the Treasurer by notice and such other information relevant to the licensee's obligations under Division 4 of the Act, as specified.	Annual
DL11	ESA section 43E(1) and ESA section 43D(2)	Electricity pricing returns format	The information in such a return is to be furnished in such manner and form as is specified or described by the Treasurer by notice.	Annual
MOR1	ESA section 63D(3) and MOR ^b (B2B) cl 6.1	Market operating rules – systems and processes	A distributor must do all such things necessary to ensure it establishes, maintains, and operates systems and processes that are compatible and compliant with the Procedures. ^c	Annual
MOR2	ESA section 63D(3) and MOR (B2B) cl 6.2	Market operating rules – provision of data	A distributor must supply all necessary data to support and comply with the Procedures.	Annual
MOR3	ESA section 63D(3) and MOR (B2B) cl 6.3	Market operating rules – data format	All data transferred in accordance with the Procedures must be in the prescribed format.	Annual
DL12	ESA, section 63Y(1)	Provision of information on underground power lines	A distributor must: <ul style="list-style-type: none"> a) be a member of Dial Before You Dig NSW/ACT Incorporated, or any other person prescribed as the “designated information provider” pursuant to section 63X of the ESA, and b) comply with any obligations imposed by that membership. 	Annual
DL13	ESA section 96C(a)	Approved ombudsman scheme - membership	A distributor must be a member of an approved energy ombudsman scheme.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation on licensed distributors in the <i>Electricity Supply Act 1995</i>	Reporting
DL14	ESA section 96C(b)	Approved ombudsman scheme – disputes	A distributor is bound by and must comply with any decision of the energy ombudsman relating to a dispute or complaint involving a small retail customer.	Annual
DL15	ESA Schedule 2, cl 6A	Environmental assessment obligations - compliance	The distributor must, in the exercise of functions under section 111 (Duty to consider environmental impact) of the <i>Environmental Planning and Assessment Act 1979</i> (NSW), comply with requirements imposed by or under regulations made pursuant to section 111A of that Act.	Annual
DL16	ESA Schedule 6, Part 4, cl 23(4)	Distributor – retail supplier's licence	It is a condition of the distributor's licence or the licence of a person to whom a licence is transferred under this clause that the holder of the licence must comply with a condition imposed under this clause.	Annual
DL17	ES (General) Reg cl 22(2)	Social programs for Energy Code	If a Social Programs for Energy Code is adopted and applies to a distributor, it is a condition of the distributor's licence that it takes the action required by the Code in accordance with the Code.	Annual

a ESA Section 15A is repealed on 31 December 2016.

b Minister for Mineral Resources, The Hon. Chris Hartcher, M.P, Market Operation Rules (NSW Electricity Business to Business Procedures) No. 1 of 2013.

c NSW Business to Business Procedures.

Table E.2 Obligations found in the *Schedule of Ministerially imposed licence conditions for distribution network service providers* (applicable to non-transacted licensed distribution networks operators)

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions for distribution network service providers</i>	Reporting
DL18	Ministerially-imposed licence condition 1.1	Expansion of the distribution system – preliminary investigation	Before expanding its distribution system or the capacity of its distribution system, the distributor must carry out investigations in circumstances in which it would be reasonable to expect that it would be cost effective to avoid or postpone the expansion by implementing demand management strategies.	Annual
DL19	Ministerially-imposed licence condition 1.3	Expansion of the distribution system – compliance	A distributor must comply with any guidelines established by the Minister relating to compliance with clause 1.1.	Annual
DL20	Ministerially-imposed licence condition 2	National electricity market registration	A distributor must hold and comply with the conditions of a network operator's authorisation or any equivalent authorisation or right of participation in any national electricity market.	Annual
DL21	Ministerially-imposed licence condition 3	Technical and prudential criteria	A distributor must satisfy the same technical and prudential criteria that it is required to meet as a condition of the network operator's authorisation or equivalent.	Annual
DL22	Ministerially-imposed licence condition 4.2	Separation of distribution system business	A distributor's distribution system operation affairs must be kept separate from its other affairs.	Annual
DL23	Ministerially-imposed licence condition 4.3	Separation of distribution system business – accounting and business records	A distributor must keep separate accounting and business records for its distribution system operation functions.	Annual
DL24	Ministerially-imposed licence condition 4.4	Separation of distribution system business – allocation of resources	A distributor may use any resource for both its distribution system operation affairs and any other affairs, provided that resource is allocated and costed between those affairs in the same way as it would be between separate unrelated legal entities on a commercial arms length basis.	Annual
DL25	Ministerially-imposed licence condition 5.1	Customer connection contracts – standard contracts	A distributor must comply with all provisions of the ESA and the ES Regulations under the ESA concerning the procedure for making, the content and effect of standard form customer connection contracts.	Annual
DL26	Ministerially-imposed licence condition 5.2	Customer connection contracts – negotiated contracts	A distributor must comply with all provisions of the ESA in relation to negotiated customer connection contracts.	Annual
DL27	Ministerially-imposed licence condition 5.3	Customer connection contracts - disclosure	Before entering into a negotiated customer connection contract, the distributor must disclose, in writing to that person, that the person is entitled to a standard form contract and provide that person, upon request, with a copy of the relevant standard form contract.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions for distribution network service providers</i>	Reporting
DL28	Ministerially-imposed licence condition 6.2	Connection services - exempt person	A distributor must not provide connection services to an exempt person otherwise than under a connection contract that complies with cl 6.3.	Annual
DL29	Ministerially-imposed licence condition 6.3	Connection services - condition of contracts	A connection contract must include a condition imposed by the distributor requiring the exempt person to adopt and comply with reasonable standards for the safe and efficient connection of any distribution system, generating system or customer installation.	Annual
DL30	Ministerially-imposed licence condition 7	Reporting manual	A distributor must prepare and submit reports in accordance with the applicable Reporting Manual issued by IPART.	Annual
DL31	Ministerially-imposed licence condition 8	Compliance management systems	A distributor must develop and maintain internal systems capable of effectively managing compliance with its licence.	Annual
DL32	Ministerially-imposed licence condition 9	Statistical operating obligations	A distributor must provide the Minister or the Minister's nominee with such operating statistics and performance indicators as requested.	Annual
DL33	Ministerially-imposed licence condition 10	Licence conditions – provision of information	A distributor must furnish to the Minister such information as the Minister may determine to enable the Minister to ascertain whether or not the distributor is complying with licence conditions.	Annual
DRF1	Ministerially-imposed licence condition 11.2 and Distribution Ring Fencing Guidelines ^a cl 2.1.1	Ring fencing	A distributor must provide a prescribed distribution service to an independent accredited service provider on terms that are no less favourable than the terms on which it provides that prescribed distribution service to that part of the distributor's business which provides contestable services.	Annual
DRF2	Ministerially-imposed licence condition 11.2 and Distribution Ring Fencing Guidelines cl 2.1.2	Ring fencing	A distributor must not treat a customer more or less favourably than another because the customer engaged or elected not to engage the distributor to provide it with contestable services.	Annual
DRF3	Ministerially-imposed licence condition 11.2 and Distribution Ring Fencing Guidelines cl 2.2	Ring fencing	A distributor must provide information relating to or derived from the provision of prescribed distribution services to an independent accredited service provider on terms that are no less favourable than the terms on which that information is made available to that part of the distributor's business that provides contestable services.	Annual
DRF4	Ministerially-imposed licence condition 11.2 and Distribution Ring Fencing Guidelines cl 3.1	Ring fencing	A distributor must ensure that an item referred to in the workbook that relates to a distribution service is fully allocated by the distributor to either prescribed distribution services or excluded distribution services on a causation basis.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions for distribution network service providers</i>	Reporting
DRF5	Ministerially-imposed licence condition 11.2 and Distribution Ring Fencing Guidelines cl 4.1	Ring fencing	A distributor must not, in the provision of prescribed distribution services to any person, communicate with that person in a way that would favour the distributor over an independent accredited service provider in the provision of contestable services to the person.	Annual
DRF6	Ministerially-imposed licence condition 11.2 and Distribution Ring Fencing Guidelines cl 4.2.1	Ring fencing	If a distributor communicates to a customer located in that distributor's distribution district that it can provide contestable services to the customer, then it must (at or about the same time) also communicate to the customer that contestable services may also be obtained from an independent accredited service provider and inform the customer how to contact or locate an independent accredited service provider.	Annual
DRF7	Ministerially-imposed licence condition 11.2 and Distribution Ring Fencing Guidelines cl 4.3	Ring fencing	A distributor must comply with the requirements relating to customer support services.	Annual
DRF8	Ministerially-imposed licence condition 11.2 and Distribution Ring Fencing Guidelines cl 5.2.1	Ring fencing	A distributor must ensure that the offices from which distributor staff provide specified services are separate from the offices from which distributor staff provide contestable services.	Annual
DRF9	Ministerially-imposed licence condition 11.2 and Distribution Ring Fencing Guidelines cl 5.3	Ring fencing	A distributor must implement reasonable security measures to ensure that distributor staff that provide contestable services are unable to access information of or derived from distributor staff that provide specified services which relate to an independent accredited service provider.	Annual
DRF10	Ministerially-imposed licence condition 11.2 and Distribution Ring Fencing Guidelines cl 5.4.1	Ring fencing	A distributor must ensure that distributor staff that provide specified services do not also provide contestable services.	Annual
DL34	Ministerially-imposed licence condition 13.1	Licence fees	A distributor must pay its licence fees.	Annual
DL35	Ministerially-imposed licence condition 13.2	Licence fees	A distributor must pay its licence fees in the manner and within the period specified by the Minister.	Annual
RP1	Ministerially-imposed licence condition 15.1	Network overall reliability standards - SAIDI	A distributor must not, when excluded interruptions are disregarded, exceed in a financial year the SAIDI average standards that apply to its feeder types.	Annual
RP2	Ministerially-imposed licence condition 15.2	Network overall reliability standards - SAIFI	A distributor must not, when excluded interruptions are disregarded, exceed in a financial year the SAIFI average standards that apply to its feeder types.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions for distribution network service providers</i>	Reporting
RP3	Ministerially-imposed licence conditions 16.1 and 16.2(a)	Individual feeder performance	Where one or more of a distributor's feeders exceed the relevant individual feeder standards for any 12 month period ending at the end of March, June, September or December, the distributor must investigate the causes for each feeder exceeding the individual feeder standards.	Annual
RP4	Ministerially-imposed licence condition 16.2(b)	Individual feeder performance investigation report	A distributor must, by the end of the quarter following the quarter in which the feeder first exceeded the individual feeder standards, complete an investigation report identifying the causes and any action required to improve the performance of each feeder.	Annual
RP5	Ministerially-imposed licence condition 16.2(c)	Individual feeder performance – completion of actions	A distributor must complete any actions identified in the investigation report to improve the performance of each feeder to the individual feeder standards by the end of the third quarter following the quarter in which each feeder first exceeded the individual feeder standards.	Annual
RP6	Ministerially-imposed licence condition 16.2(d)	Individual feeder performance – project plan	Except as permitted by condition 16.2(e), where the investigation report identifies actions, other than operational actions, required to improve the performance of each feeder to the individual feeder standards, the distributor must develop a project plan, including implementation timetable, and commence its implementation by the end of the second quarter following the quarter in which the feeder first exceeded the individual feeder standards.	Annual
RP7	Ministerially-imposed licence condition 16.2(e)	Individual feeder performance – considering non-network strategies	A distributor must consider non-network strategies which provide reliable outcomes for customers. Where found by the investigation report to be equal or more cost-effective than the lowest cost feasible network option, such strategies shall be adopted rather than network augmentation.	Annual
RP8	Ministerially- imposed licence condition 16.2(f)	Individual feeder performance – implementation timetable	A distributor must ensure that the implementation timetable for the network project plan or alternative non-network solutions is as short as is reasonably practicable.	Annual
RP9	Ministerially- imposed licence condition 16.2(g)	Individual feeder performance – cost benefit analysis	Where all reasonable steps to improve supply reliability have been taken, the costs of further actions to rectify the non-compliance must be subject to a cost benefit analysis. Where such analysis does not provide a positive benefit, no further action will be taken to improve the feeder's performance and the ongoing non-conformance with the individual feeder standards will be reported to the Minister.	Annual
RP10	Ministerially- imposed licence condition 16.3	Individual feeder performance – rectification plan	A distributor's investigation report is to include a documented rectification plan where action is found to be justified in order to improve the performance of a feeder to the individual feeder standards.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions for distribution network service providers</i>	Reporting
RP11	Ministerially-imposed licence condition 17.1	Customer service standard – interruption duration	A distributor must pay the sum of \$80 to a customer where the distributor exceeds the interruption duration standard at the customer's premises and the customer has made a claim to the distributor within three months of the interruption.	Annual
RP12	Ministerially-imposed licence condition 17.2	Customer service standard – interruption frequency	A distributor must pay the sum of \$80 to a customer where the distributor exceeds the interruption frequency standard at the customer's premises in a financial year and the customer has made a claim to the distributor within three months of the end of the financial year to which the interruptions relate.	Annual
RP13	Ministerially-imposed licence condition 17.3	Customer service standard – claim determination	Within one month of receiving a claim, a distributor must determine the claim and give written notice of the determination to the customer. For customers eligible for payment, the notice must include the amount paid, the manner of payment and timing of payment. Where a claim is not paid (whether in part or full), the notice must include reasons for the decision.	Annual
RP14	Ministerially-imposed licence condition 17.4	Customer service standard – customer awareness	A distributor must take reasonable steps to make customers aware of the availability of payments under condition 17. On request from a customer, a distributor must provide written information on the availability of payments on the terms set out in condition 17.	Annual
RP15	Ministerially-imposed licence condition 18.2	Network overall reliability standards – quarterly report	A distributor must submit a quarterly network overall reliability standards report to the Minister within one month of the end of each quarter.	Quarterly
RP16	Ministerially-imposed licence condition 18.3	Network overall reliability standards – information required	Each network overall reliability standards report must include the following matters for the previous 12 month period to the end of that quarter: <ul style="list-style-type: none"> a) performance against SAIDI average standards and SAIFI average standards by feeder type, disregarding excluded interruptions b) reasons for any non-compliance by the licence holder with the network overall reliability standards and plans to improve performance, and c) any other matter formally notified by the Minister. 	Quarterly
RP17	Ministerially-imposed licence condition 18.4	Individual feeder standards – quarterly report	A distributor must submit, within one month of the end of each quarter, a quarterly individual feeder standards report to the Minister on feeders that exceeded the individual feeder standards during the previous 12 month period to the end of that quarter, together with for each feeder: <ul style="list-style-type: none"> a) the date at which the feeder first exceeded the relevant individual feeder standard, together with the actual SAIDI and SAIFI performance of the feeder for the 12 month period, 	Quarterly

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions for distribution network service providers</i>	Reporting
			<ul style="list-style-type: none"> b) details of the remedial action that the licence holder intends taking, or has taken, to improve performance of those feeders, and c) The date of completion, or the date of planned completion, of the remedial action plan, or d) details of the investigation and action proposed or undertaken leading to the decision to advise the Minister that is not economically justifiable to bring the feeder performance into compliance with the individual feeder standards. 	
RP18	Ministerially-imposed licence condition 18.5	Customer service standards – quarterly report	<p>A distributor must submit a quarterly customer service standards report to the Minister on the following matters within one month of the end of each quarter for the preceding quarter and for the previous 12 month period to the end of that quarter:</p> <ul style="list-style-type: none"> a) number of payments given under condition 17 to customers by each type of area listed in Column 1 of Table 1 in Schedule 5 to the conditions and by the type of standard, as shown in Columns 2 and 3 of Table 1 in Schedule 5 to the conditions, and b) number of claims not paid (whether in part or full) under condition 17 to customers by each type of area listed in Column 1 of Table 1 in Schedule 5 to the conditions, and by type of standard, as shown in Columns 2 and 3 of Table 1 in Schedule 5 to the conditions. 	Quarterly
RP19	Ministerially-imposed licence condition 18.6	Major network incident reporting	A distributor must report to the Minister within 24 hours any major network incidents involving significant injury to persons, loss of property or widespread supply interruptions. High level severity incidents should be advised immediately.	Annual
RP20	Ministerially-imposed licence condition 18.7	Reliability and performance - audit	An independent audit must be conducted after the end of each financial year to audit the distributor's performance against the network overall reliability standards, individual feeder standards and customer service standards.	Annual
RP21	Ministerially-imposed licence condition 18.8	Reliability and performance – auditor nomination	A distributor must nominate a person to conduct the independent audit by notice in writing to IPART and must give notice in accordance with any time specified by IPART.	Annual
RP22	Ministerially-imposed licence condition 18.12	Reliability and performance – audit report	A distributor must provide a copy of the auditor's report by 30 September each year to IPART and the Minister.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions for distribution network service providers</i>	Reporting
RP23	Ministerially-imposed licence condition 18.13	Reliability and performance – audit report format	Where the Minister determines the format of a report required by condition 18, a distributor must submit the report in that format.	Annual
RP24	Ministerially-imposed licence condition 18.14	Reliability and performance – audit guidelines	The Minister may from time to time establish guidelines to be followed by the distributor in complying with reports required by this condition and the distributor must comply with any such guidelines.	Annual
RP25	Ministerially-imposed licence condition 18.16	Reliability and performance – provision of audit report	A distributor must provide a report submitted to the Minister under condition 18 to IPART, if requested to do so by IPART by notice in writing.	Annual

^a IPART, Distribution Ring Fencing Guidelines, Made under clause 6.20 of the National Electricity Code, Version 1.0, February 2003.

Table E.3 Obligations in the *Schedule of Ministerially imposed licence conditions of a transacted distribution system*

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions of a transacted distribution system</i>	Reporting
TD1	Transacted distribution system conditions ^a : 1	Operate within Distribution District	The licence holder must ensure that it and all other network operators of its distribution system only operate a distribution system in the district provided in Schedule 3 of the Act, those areas in Schedule 1 to the licence, or any other areas agreed and authorised by the Tribunal and licence holder.	Annual
TD2	Transacted distribution system conditions: 2	National Electricity Market	The Licence Holder must ensure that it and all other network operators of its distribution system are registered or exempt from the requirement to be registered as a Network Service Provider under the National Electricity Rules, or hold any equivalent authorisation or right of participation in any national electricity market.	Annual
TD3	Transacted distribution system conditions: 3	Technical and prudential criteria	The Licence Holder must ensure that it and all other network operators of its distribution system satisfy the technical and prudential criteria that each entity is required to meet as a condition of its registration, exemption, or equivalent authorisation or right of participation referred to in condition 2.	Annual
TD4	Transacted distribution system conditions: 4.1	Network overall reliability standards - SAIDI	A Licence Holder must not, when excluded interruptions are disregarded, exceed in a financial year the SAIDI average standards that apply to its feeder types.	Annual
TD5	Transacted distribution system conditions: 4.2	Network overall reliability standards - SAIFI	A Licence Holder must not, when excluded interruptions are disregarded, exceed in a financial year the SAIFI average standards that apply to its feeder types.	Annual
TD6	Transacted distribution system conditions: 5.1 and 5.2 (a)	Individual feeder performance	Where one or more of a Licence Holder's feeders exceed the relevant individual feeder standards for any 12 month period ending at the end of March, June, September or December, the distributor must investigate the causes for each feeder exceeding the individual feeder standards.	Annual
TD7	Transacted distribution system conditions: 5.2(b)	Individual feeder performance investigation report	A Licence Holder must, by the end of the quarter following the quarter in which the feeder first exceeded the individual feeder standards, complete an investigation report identifying the causes and any action required to improve the performance of each feeder.	Annual
TD8	Transacted distribution system conditions: 5.2(c)	Individual feeder performance – completion of actions	A Licence Holder must complete any actions identified in the investigation report to improve the performance of each feeder to the individual feeder standards by the end of the third quarter following the quarter in which each feeder first exceeded the individual feeder standards.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions of a transacted distribution system</i>	Reporting
TD9	Transacted distribution system conditions: 5.2(d)	Individual feeder performance – project plan	Except as permitted by condition 5.2(e), where the investigation report identifies actions, other than operational actions, required to improve the performance of each feeder to the individual feeder standards, the distributor must develop a project plan, including implementation timetable, and commence its implementation by the end of the second quarter following the quarter in which the feeder first exceeded the individual feeder standards.	Annual
TD10	Transacted distribution system conditions: 5.2(e)	Individual feeder performance – considering non-network strategies	A Licence Holder must consider non-network strategies which provide reliable outcomes for customers. Where found by the investigation report to be equal or more cost-effective than the lowest cost feasible network option, such strategies shall be adopted rather than network augmentation.	Annual
TD11	Transacted distribution system conditions: 5.2(f)	Individual feeder performance – implementation timetable	A Licence Holder must ensure that the implementation timetable for the network project plan or alternative non-network solutions is as short as is reasonably practicable.	Annual
TD12	Transacted distribution system conditions: 5.2(g)	Individual feeder performance – cost benefit analysis	Where all reasonable steps to improve supply reliability have been taken, the costs of further actions to rectify the non-compliance must be subject to a cost benefit analysis. Where such analysis does not provide a positive benefit, no further action will be taken to improve the feeder's performance and the ongoing non-conformance with the individual feeder standards will be reported to the Minister.	Annual
TD13	Transacted distribution system conditions: 5.3	Individual feeder performance – rectification plan	The investigation report is to include a documented rectification plan where action is found to be justified in order to improve the performance of a feeder to the individual feeder standards.	Annual
TD14	Transacted distribution system conditions: 6.1	Customer service standard – interruption duration	A Licence Holder must pay the sum of \$80 to a customer where the distributor exceeds the interruption duration standard at the customer's premises and the customer has made a claim to the distributor within three months of the interruption ceasing.	Annual
TD15	Transacted distribution system conditions: 6.2	Customer service standard – interruption frequency	A Licence Holder must pay the sum of \$80 to a customer where the distributor exceeds the interruption frequency standard at the customer's premises in a financial year and the customer has made a claim to the distributor within three months of the end of the financial year to which the interruptions relate.	Annual
TD16	Transacted distribution system conditions: 6.3	Customer service standard – claim determination	Within one month of receiving a claim for payment under condition 6, a Licence Holder must determine the claim and give written notice of the determination to the customer. For customers eligible for payment, the notice must include the amount paid, the manner of payment and timing of payment. Where a claim is not paid (whether in part or full), the notice must include reasons for the decision.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions of a transacted distribution system</i>	Reporting
TD17	Transacted distribution system conditions: 6.4	Customer service standard – customer awareness	A Licence Holder must take reasonable steps to make customers aware of the availability of payments on the terms under condition 6. On request from a customer, a Licence Holder must provide written information on the availability of payments on the terms set out in condition 6.	Annual
TD18	Transacted distribution system conditions: 7.1	Network overall reliability standards – quarterly report	A Licence Holder must submit a network overall reliability standards quarterly report to the Tribunal within one month of the end of each quarter.	Quarterly
TD19	Transacted distribution system conditions: 7.2	Network overall reliability standards – information required	Each network overall reliability standards report must include the following matters for the previous 12 month period to the end of that quarter: <ul style="list-style-type: none"> a) performance against SAIDI average standards and SAIFI average standards by feeder type, disregarding excluded interruptions b) reasons for any non-compliance by the licence holder with the network overall reliability standards and plans to improve performance, and c) any other matter notified by the Tribunal in writing. 	Quarterly
TD20	Transacted distribution system conditions: 7.3	Individual feeder standards – quarterly report	A distributor must submit, within one month of the end of each quarter, a quarterly individual feeder standards report to the Tribunal on feeders that exceeded the relevant individual feeder standards during the previous 12 month period to the end of that quarter, together with for each feeder: <ul style="list-style-type: none"> a) the date at which the feeder first exceeded the relevant individual feeder standard, together with the actual SAIDI and SAIFI performance of the feeder for the 12 month period, b) details of the remedial action that the licence holder intends taking, or has taken, to improve performance of those feeders, c) either of the following: <ul style="list-style-type: none"> i) The date of completion, or the date of planned completion, of the remedial action plan, or ii) details of the investigation and action proposed or undertaken leading to the decision to advise the Tribunal that is not economically justifiable to bring the feeder performance into compliance with the individual feeder standards, and d) any other matter notified by the Tribunal in writing 	Quarterly
TD21	Transacted distribution system conditions: 7.4	Customer service standards – quarterly report	A Licence Holder must submit a quarterly customer service standards report to the Tribunal on the following matters within one month of the end of each quarter for the preceding quarter and for the previous 12 month period to the end of that quarter: <ul style="list-style-type: none"> a) number of payments given under condition 6 to customers by each type of area 	Quarterly

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions of a transacted distribution system</i>	Reporting
			<p>listed in Column 1 of Table 1 in Schedule 5 to the conditions and by the type of standard, as shown in Columns 2 and 3 of Table 1 in Schedule 5 to the conditions, and</p> <p>b) number of claims not paid (whether in part or full) under condition 6 to customers by each type of area listed in Column 1 of Table 1 in Schedule 5 to the conditions, and by type of standard, as shown in Columns 2 and 3 of Table 1 in Schedule 5 to the conditions.</p> <p>c) any other matter notified by the Tribunal in writing</p>	
TD22	Transacted distribution system conditions: 7.5	Incident reporting	A Licence Holder must prepare and submit reports on any incident in accordance with any Reporting Manuals issued by the Tribunal.	As per Ch.2 of this Reporting Manual.
TD23	Transacted distribution system conditions: 7.6	Reliability and performance - audit	An independent audit must be conducted after the end of each financial year to audit the distributor's performance against the network overall reliability standards, individual feeder standards and customer service standards.	Annual
TD24	Transacted distribution system conditions: 7.7	Incident reporting	The audit must be conducted in accordance with any Audit Guidelines issued by the Tribunal	Annual
TD25	Transacted distribution system conditions: 7.8	Reliability and performance – auditor nomination	A Licence Holder is required to nominate a person to conduct the independent audit by written notice given to the Tribunal in accordance with auditor nomination procedures published in any Audit Guidelines issued by the Tribunal.	Annual
TD26	Transacted distribution system conditions: 7.9	Reliability and performance – auditor nomination	The person nominated must be independent of the Licence Holder and competent to undertake the audit	Annual
TD27	Transacted distribution system conditions: 7.12	Reliability and performance – audit report	A distributor must provide a copy of the auditor's report by 30 September each year to IPART.	Annual
TD28	Transacted distribution system conditions: 7.13	Reliability and performance – audit report format	Where the Tribunal determines the format of a report, a Licence Holder must submit the report in that format.	Annual
TD29	Transacted distribution system conditions: 7.14	Reliability and performance – audit guidelines	The Tribunal may from time to time establish requirements to be followed by the Licence Holder in complying with reports required by this condition and the Licence Holder must comply with any such requirements.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions of a transacted distribution system</i>	Reporting
TD30	Transacted distribution system conditions: 7.16	Reliability and performance – provision of a report	A Licence Holder must provide a report submitted to the Tribunal under condition 7 to the Minister, if requested to do so by the Minister by notice in writing.	Annual
TD31	Transacted distribution system conditions: 8.1	Business continuity and disruptions	The Licence Holder must have a documented system to ensure that it has adequate arrangements in place to identify, assess and manage business continuity risks and manage business disruptions relating to the operation of its distribution system (a Business Continuity Plan).	Annual
TD32	Transacted distribution system conditions: 8.2	Business continuity and disruptions	The Licence Holder must ensure that it and any other network operator of its distribution system implements and complies with the Business Continuity Plan.	Annual
ACI1	Transacted distribution system conditions 9.1	Substantial presence in Australia – distribution system maintenance	The <i>Licence Holder</i> must take all practical and reasonable steps to ensure: <ul style="list-style-type: none"> a) the maintenance of its distribution system is undertaken solely from within Australia, except where maintenance requires either physical servicing of components offshore or the acquisition of replacement components from outside Australia. In such an instance it this maintenance must not impact condition 9.2; b) that any third party or non-Licence Holder employee, including individuals/entities from outside Australia, undertaking maintenance of the distribution system is subject to the approval of the senior officer responsible for network operations. 	Annual
ACI2	Transacted distribution system conditions 9.2 (a)	Substantial presence in Australia – domestic operation and control	The <i>Licence Holder</i> must, by using best industry practice for electricity network control systems, ensure that operation and control of its distribution system, including all associated ICT infrastructure, can be accessed, operated and controlled only from within Australia, and that its distribution system is not connected to any other infrastructure or network which could enable it to be controlled or operated by persons outside Australia;	
ACI2	Transacted distribution system conditions 9.2 (b)	Substantial presence in Australia – domestic operation and control	The Licence Holder must notify the <i>Commonwealth Representative</i> if it enters into a contract under which it outsources the operation and control of its <i>distribution system</i> , including any associated ICT infrastructure.	Annual
ACI3	Transacted distribution system conditions 9.2 (c)		Where a Ministerially approved implementation plan exists, report on the progress made against each of the steps outlined in the implementation plan that fell in the reporting period.	Annual, and by 15 December 2017
ACI4	Ministerially-imposed licence condition 9.3 (refer also 9.4 and 9.5)	Critical infrastructure – substantial presence in Australia – personnel	The <i>Licence Holder</i> must: <ul style="list-style-type: none"> a) have at least two directors who are Australian citizens; and b) have senior officers responsible for (notwithstanding their title): <ul style="list-style-type: none"> (i) operational technology; 	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions of a transacted distribution system</i>	Reporting
			(ii) network operations, and (iii) security operations in relation to its <i>distribution system</i> who are persons residing in Australia and hold an appropriate national security clearance, being a clearance of not less than Negative Vetting Level 1 (or equivalent).	
ACI5	Ministerially-imposed licence condition 9.4 and 9.5		Provide details of: ▼ any vacancies including the time the vacancy began, and ▼ and pending applications for security clearance including the appointment date of which the relevant employee and the application date of the security clearance.	Annual
ACI6	Ministerially-imposed licence condition 10.1 (refer also 10.2)	Critical infrastructure - Data storage	The <i>Licence Holder</i> must ensure that: a) all of its information as to the operational technology (as defined in the licence condition) and associated ICT infrastructure is held solely within Australia, and that such information is accessible only by a <i>Relevant Person</i> who has been authorised by the Licence Holder and only from within Australia, and b) i) data as to the quantum of electricity delivered (both historical and current load demand) from or to any one or more sites (or their connection points); and ii) personal information within the meaning of the Privacy Act 1988 (Cth), relating to or obtained in connection with the operation of the distribution system by a <i>Relevant Person</i> is held solely within Australia, and is accessible only by a <i>Relevant Person</i> or a person who has been authorised by the Licence Holder.	Annual
ACI7	Ministerially-imposed licence condition 10.2 (g)		Where a Tribunal approved implementation plan exists, report on the progress made against each of the steps outlined in the implementation plan that fell in the reporting period.	Annual, and by 15 December 2017
ACI8	Ministerially-imposed licence condition 10.4		The Licence Holder must ensure that third party data or information (including without limitation communications within the meaning of the Telecommunications (Interception and Access) Act 1979 (Cth), personal information within the meaning of the Privacy Act 1988 (Cth), and closed circuit television footage) which is indirectly accessed or obtained by the Licence Holder because that third party data or information is transferred by a carrier or other party using the Licence Holder's infrastructure: a) are held by the Licence Holder solely within Australia, and b) are accessible only by a <i>Relevant Person</i> or a person who has been authorised by the Licence Holder and, c) in each case, only from within Australia.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions of a transacted distribution system</i>	Reporting
ACI9	Ministerially-imposed licence condition 11.1 (refer also 11.4)	Critical Infrastructure - reporting	On 31 August each year, or such other date specified by the <i>Tribunal</i> , the <i>Licence Holder</i> must furnish a report to the <i>Tribunal</i> and the <i>Commonwealth Representative</i> detailing whether the <i>Licence Holder</i> has complied with conditions 9 and 10 over the preceding financial year to 30 June. The report must be accompanied by a certification in writing supported by a resolution of the Board of the <i>Licence Holder</i> that the <i>Licence Holder</i> has either complied or not complied with conditions 9 and 10 and: <ul style="list-style-type: none"> a) certifying the nature and extent of each non-compliance, b) the steps taken to ensure and preclude further non-compliance and c) the expected timeframe to achieve compliance. 	Annual
ACI10	Ministerially-imposed licence condition 11.2	Critical Infrastructure - audit	The report required under condition 11.1 must be audited by an Approved Critical Infrastructure Auditor by a date specified by the <i>Tribunal</i> . The audit required by this condition 11.2 must be a comprehensive audit and must meet any requirements specified by the <i>Tribunal</i> .	Annual
TD33	Ministerially-imposed licence condition 12.1	Management systems –certification	Within two years after the date of the Licence, the Licence Holder must have and maintain: <ul style="list-style-type: none"> a) an asset management system that is consistent with the International Standard ISO 55001 Asset Management System – Requirements; and b) an environmental management system that is consistent with International Standard ISO 14001 Environmental Management, 	Annual
TD34	Ministerially-imposed licence condition 12.2	Management systems –certification	The Licence Holder must ensure that, by the time it is required to comply with condition 12.1: <ul style="list-style-type: none"> a) its asset management system is certified to be consistent with International Standard ISO 55001; and b) its environmental management system is certified to be consistent with International Standard ISO 14001. 	Annual
TD35	Ministerially-imposed licence condition 12.3	Management systems – maintenance of certification	Once the asset management system and environmental management systems are each certified in accordance with condition 12.2, the certifications are maintained for the remainder of the duration of the <i>Licence</i> .	Annual
TD36	Ministerially-imposed licence condition 12.4	Management systems – system changes	The <i>Licence Holder</i> must notify the <i>Tribunal</i> , in accordance with any <i>Reporting Manuals</i> issued by the <i>Tribunal</i> , of any significant changes it proposes to make to its asset management system or environmental management system.	Annual
TD37	Ministerially-imposed licence condition 13	Management systems - implementation	The <i>Licence Holder</i> must ensure that its asset management system and environmental management system are fully implemented and all relevant activities undertaken by it or any other network operator of its <i>distribution system</i> are carried out in accordance with the relevant management system.	Annual

IPART Code	Licence Condition and obligation	Name of reporting requirement	Brief description of obligation in the <i>Schedule of Ministerially imposed licence conditions of a transacted distribution system</i>	Reporting
TD38	Transacted distribution system conditions 14	Reporting in accordance with Reporting Manuals	The Licence Holder must prepare and submit reports in accordance with any Reporting Manuals issued by the Tribunal.	Annual
TD39	Transacted distribution system conditions 15	Information about compliance with Audit Guidelines	The Licence Holder must comply with any Audit Guidelines issued by the Tribunal.	Annual
TD40	Transacted distribution system conditions 16	Compliance management systems	The Licence Holder must ensure internal systems are developed and maintained that are capable of effectively managing compliance with its licence.	Annual
TD41	Transacted distribution system conditions 17	Statistical operating obligations	The Licence Holder must provide to the Tribunal such operating statistics and performance indicators as requested.	Annual
TD42	Transacted distribution system conditions 18	Licence conditions – provision of information	The Licence Holder must furnish to the Tribunal such information as the Tribunal may determine to enable the Tribunal to ascertain whether or not the distributor is complying with conditions of its licence, the Act or Regulation.	Annual
TD43	Transacted distribution system conditions 19.1	Information about compliance with Employment Guarantees	The Licence Holder must furnish to the Tribunal such information as the Tribunal may determine to enable the Tribunal to ascertain whether or not the Licence Holder is complying with the 'Employment Guarantees' set out in Schedule 4 of the <i>Electricity Network Assets (Authorised Transactions) Act 2015</i> (NSW).	Annual
TD44	Transacted distribution system conditions 19.2	Auditing of employment guarantees compliance	The Licence Holder must comply at its own expense and within a reasonable timeframe nominated by the Tribunal, with any request from the Tribunal to have information provided under condition 19.1 audited by an Approved Auditor.	Annual
TD45	Transacted distribution system conditions: 20.1	Licence fees	A distributor must pay its licence fees.	Annual
TD46	Transacted distribution system conditions: 20.2	Licence fees	A distributor must pay its licence fees in the manner and within the period specified by the Minister.	Annual

^a 'Transacted distribution system conditions' refers to those conditions found in the *Schedule of Ministerially imposed licence conditions of a transacted distribution system* in the Ausgrid Licence.

F Transmission operator licence conditions and obligations

Table F.1 Obligations in the *Schedule of Ministerially imposed licence conditions for the operator of a transacted transmission system*

IPART Code	Licence Condition and obligation	Name of reporting	Brief description of obligation	Reporting
TL1	Ministerially-imposed licence condition 1	National Electricity Market registration	The holder of the Transmission Operator's Licence, and all other network operators of its transmission system must be: <ul style="list-style-type: none"> a) registered, or exempt to be registered, as a network service provider under the National Electricity Rules, or b) hold any equivalent authorisation or right of participation in any national electricity market. 	Annual
TL2	Ministerially-imposed licence condition 2	Technical and prudential criteria	The Licence Holder and all other network operators of its transmission system must satisfy the same technical and prudential criteria that it is required to meet as a condition of the network operator's authorisation or equivalent.	Annual
TL3	Ministerially-imposed licence condition 3	Reliability and performance standards	The Licence Holder must ensure that it and all other network operators of its transmission system comply with: <ul style="list-style-type: none"> a) Any reliability and performance standards issued by the Minister for the transmission system. b) If no reliability and performance standards have been issued by the Minister, the Licence Holder must operate its transmission system to meet the reliability and performance standards which were developed and applied by the network operator of the transmission system in response to the Transmission Network Design and Reliability Standard for NSW dated December 2010. 	Annual
TL4	Ministerially-imposed licence condition 4	Annual demand forecasts	The Licence Holder must submit its Annual Demand Forecasts to AEMO in sufficient time to enable AEMO to consider and provide comments in relation to the forecasts and for the Licence Holder to consider those comments prior to finalisation of the Annual Demand Forecast prepared as part of the Annual Transmission Planning Review, required under clause 5.12 of the National Electricity Rules or any equivalent or replacement requirements.	Annual

IPART Code	Licence Condition and obligation	Name of reporting	Brief description of obligation	Reporting
TL5	Ministerially-imposed licence condition 5.1	Business continuity and disruptions	The Licence Holder must have a documented system to ensure that it has adequate arrangements in place to identify, assess and manage business continuity risks and manage business disruptions relating to the operation of its transmission system (a Business Continuity Plan).	Annual
TL6	Ministerially-imposed licence condition 5.2	Business continuity and disruptions	The <i>Licence Holder</i> must ensure that it and any other network operator of its <i>transmission system</i> implements and complies with the <i>Business Continuity Plan</i> .	Annual
CI1	Ministerially-imposed licence condition 6.1	Critical infrastructure - Substantial presence in Australia – transmission system	The <i>Licence Holder</i> must ensure: <ul style="list-style-type: none"> a) the maintenance of its <i>transmission system</i> is undertaken solely from within Australia, other than where such maintenance is not capable of being undertaken within Australia on reasonable commercial terms and conditions; and b) the operation and control of its <i>transmission system</i> is capable of being undertaken only from within Australia. 	Annual
CI2	Ministerially-imposed licence condition 6.2 (refer also 6.3 and 6.4)	Critical infrastructure – substantial presence in Australia – personnel	The <i>Licence Holder</i> must: <ul style="list-style-type: none"> a) have at least two directors who are Australian citizens; and b) have senior officers responsible for (notwithstanding their title): <ul style="list-style-type: none"> (i) operational technology; and (ii) network operations, <p>in relation to its <i>transmission system</i> who are persons residing in Australia and holding or possessing an ability to hold an appropriate national security clearance, being a clearance of not less than Negative Vetting Level 1 (or equivalent) unless exempted under condition 6.3.</p>	Annual
CI3	Ministerially-imposed licence condition 7.1 (refer also 7.2)	Critical infrastructure - Data storage	The <i>Licence Holder</i> must ensure that all: <ul style="list-style-type: none"> a) data as to the quantum of electricity delivered (both historical and current load demand) from or to any one or more sites (or their connection points); and b) personal information within the meaning of the <i>Privacy Act 1988</i> (Cth), relating to or obtained in connection with the operation of the <i>transmission system</i> by a <i>Relevant Person</i> is held solely within Australia, and is accessible only by a <i>Relevant Person</i> or a person who has been authorised by the <i>Licence Holder</i> and only from within Australia. 	Annual

IPART Code	Licence Condition and obligation	Name of reporting	Brief description of obligation	Reporting
CI4	Ministerially-imposed licence condition 7.2	Critical Infrastructure - Further maintenance of data security	<p>The <i>Licence Holder</i> is not in breach of its obligations under condition 7.1(a) if the <i>Licence Holder</i> discloses, or the <i>Licence Holder</i> discloses to a <i>Relevant Person</i> so that that <i>Relevant Person</i> may disclose:</p> <ul style="list-style-type: none"> a) to a recognised stock exchange so that such information is made available publically in compliance with a binding obligation on the part of the Licence Holder or that Associate to do so; b) in compliance with any law of the Commonwealth of Australia, or of any of its States and Territories; c) to the financial, accounting, insurance, legal, regulatory and other advisers, auditors, insurers, security trustees and financiers (and each of their advisers) of the Licence Holder, any Associate, and any bona fide prospective purchaser of any interest in, or of any interest in the main undertaking of, the Licence Holder or any Associate, but in each case only to the extent necessary in order for those persons to provide the advisory or other services bona fide required of them; d) aggregated data which does not permit identification of sites or groups of sites (or their connection points) or their demand characteristics; and e) in such other circumstances as approved in writing by the Tribunal. 	Annual
CI5	Ministerially-imposed licence condition 8.1 (refer also 8.3)	Critical Infrastructure - reporting	On 31 August each year, or such other date specified by the <i>Tribunal</i> , the <i>Licence Holder</i> must furnish a report to the <i>Tribunal</i> detailing whether the <i>Licence Holder</i> has complied with conditions 6 and 7 over the preceding financial year to 30 June. The report must be accompanied by a certification in writing supported by a resolution of the Board of the <i>Licence Holder</i> .	Annual
CI6	Ministerially-imposed licence condition 8.2	Critical Infrastructure - audit	The report required under condition 8.1 must be audited by an Approved Critical Infrastructure Auditor by a date specified by the Tribunal. The audit required by this condition 8.2 must be a comprehensive audit and must meet any requirements specified by the Tribunal.	Annual
TL7	Ministerially-imposed licence condition 9.1(a)	Management Systems - Assets	The <i>Licence Holder</i> must have and maintain an asset management system that is consistent with the International Standard ISO 55001 Asset Management System – Requirements.	Annual
TL8	Ministerially-imposed licence condition 9.1(b)	Management Systems - Environmental	The <i>Licence Holder</i> must have and maintain an environmental management system that is consistent with International Standard ISO 14001 Environmental Management.	Annual

IPART Code	Licence Condition and obligation	Name of reporting	Brief description of obligation	Reporting
TL9	Ministerially-imposed licence condition 9.2	Management Systems - certification	The <i>Licence Holder</i> must ensure that: <ul style="list-style-type: none"> a) its asset management system is certified by an appropriately qualified person to be consistent with International Standard ISO 55001 Asset Management System – Requirements; and b) its environmental management system is certified by an appropriately qualified person to be consistent with 'International Standard ISO 14001 Environmental Management; and c) once its asset management system and environmental management systems are each certified, that certification is maintained for the duration of the Licence. 	Annual
TL10	Ministerially-imposed licence condition 9.3	Management Systems – reporting significant changes	The <i>Licence Holder</i> must notify the <i>Tribunal</i> , in accordance with the <i>Reporting Manual</i> , of any significant changes it proposes to make to its asset management system or environmental management system.	Annual
TL11	Ministerially-imposed licence condition 10	Management Systems - implementation	The <i>Licence Holder</i> must ensure that its asset management system and environmental management system are fully implemented and all relevant activities undertaken by it or any other network operator of its <i>transmission system</i> are carried out in accordance with the relevant management system.	Annual
TL12	Ministerially-imposed licence condition 11	Reporting manual	The <i>Licence Holder</i> must prepare and submit reports in accordance with any <i>Reporting Manuals</i> issued by the <i>Tribunal</i> .	Annual
TL13	Ministerially-imposed licence condition 12	Audit guidelines	The <i>Licence Holder</i> must comply with any <i>Audit Guidelines</i> issued by the <i>Tribunal</i> .	Annual
TL14	Ministerially-imposed licence condition 13	Compliance management systems	The <i>Licence Holder</i> must ensure internal systems are developed and maintained that are capable of effectively managing compliance with its <i>Licence</i> .	Annual
TL15	Ministerially-imposed licence condition 14	Statistical operating obligations	The <i>Licence Holder</i> must provide to the <i>Tribunal</i> such operating and statistics and performance indicators as may be required from time to time by the <i>Tribunal</i> .	Annual
TL16	Ministerially-imposed licence condition 17.1	Licence fees	The <i>Licence Holder</i> must pay such fees (annual or otherwise) in connection with the holding of the <i>Licence</i> as may be determined by the <i>Minister</i> from time to time.	Annual
TL17	Ministerially-imposed licence condition 17.2	Licence fees – payment and recovery	The <i>Licence Holder</i> must pay the fees referred to in condition 17.1 in the manner and within the period specified by the <i>Tribunal</i> .	Annual

IPART Code	Licence Condition and obligation	Name of reporting	Brief description of obligation	Reporting
EG1-9	Ministerially-imposed licence condition 16	Employment guarantees	The <i>Licence Holder</i> must furnish to the <i>Tribunal</i> (at such times and in respect of such periods as the <i>Tribunal</i> may determine and in the manner and form specified by the <i>Tribunal</i>) such information as the <i>Tribunal</i> may determine, to enable the <i>Tribunal</i> to ascertain whether or not the <i>Licence Holder</i> is complying with the 'Employment Guarantees' set out in Schedule 4 to the <i>Electricity Network Assets (Authorised Transactions) Act 2015</i> (NSW)	Annual

G Environmental Impact Assessment outcomes required by the *NSW Code of Practice for Authorised Network Operators*

Table G.1 Outcomes required in the NSW Code of Practice for Authorised Network Operators

IPART ref.	Code reference	Description
EPA1	Section 5.2	By 30 April each year, an ANO must provide a report to IPART which records data, on any complaints received by the ANO about EIA related matters in the preceding year.
EPA2	Section 2.3.2	<p>Outcomes required from the scoping and legislative review stage of the EIA.</p> <p>To achieve compliance, the EIA documentation produced must:</p> <ol style="list-style-type: none"> 1. contain a plain English description of the Activity including its geographic location, relationship to the site environment, an identification of landowners, and a description of current land uses 2. explain the need for the Activity and its justification including an assessment of any alternative options considered 3. document the ANO's consideration of whether early community consultation is required, and 4. assess the resources required for Stage 2 of the EIA process under the Code.
EPA3	Section 2.3.4	<p>Outcomes required from the assessment and evaluation stage of the EIA.</p> <p>To achieve compliance, the EIA documentation produced must:</p> <ol style="list-style-type: none"> 1. confirm the appropriate assessment and approvals process (ie, whether the Activity falls within Class 3, 4, 5, or 6 under the Code) 2. confirm if another licence or approval is required or if the Activity is regulated by other State or Commonwealth legislation 3. ensure that, when the ANO is performing the NDA role, the environmental assessment information for the Activity addresses all factors agencies will need to consider to determine whether a separate licence or approval can be issued 4. record, for an Activity where the ANO is acting as an NDA, that the ANO consulted with agencies to clarify any specific information that should be covered by the assessment documentation 5. contain adequate information to identify the extent and nature of the individual impacts associated with the Activity. This must include identifying any potential community impacts 6. provides evidence that it has been prepared by persons appropriately trained to consider and assess the impacts of the Activity, and 7. record the steps taken by the ANO to address the outcomes required to be achieved under the Code. Notably, the EIA documentation must record information collected about potential impacts, and assessment and consideration of these impacts.

IPART ref.	Code reference	Description
EPA4	Section 2.3.7	<p>Outcomes required from the consultation stage of the EIA.</p> <p>To achieve compliance, the EIA documentation produced must show evidence that:</p> <ol style="list-style-type: none"> 1. the ANO has used all reasonable endeavours to determine what the applicable General Law Consultation Requirements are 2. the ANO has met its General Law Consultation Requirements, and 3. either: <ol style="list-style-type: none"> a) the ANO has complied with the relevant aspects of a Consultation Protocol which is in force under the Code and applies to the Activity in question; or b) if no such Consultation Protocol applies, the ANO has complied with the interim Additional Consultation Requirements which are applicable to the Activity under the Code.
EPA5	Section 2.5.1	<p>Outcomes required from the determination stage of the EIA, including the Decision Statement.</p> <p>To achieve compliance:</p> <ol style="list-style-type: none"> 1. A determination must be made by an appropriately authorised person. This person must not be the same person who conducted the assessment. 2. The determination must be documented in a written statement signed by the authorised person on behalf of the ANO. For simplicity, the Code will refer to this statement as a Decision Statement. <ul style="list-style-type: none"> – An SER Decision Statement can be a brief statement. – For a REF a more detailed Decision Statement is required, in the nature 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. 3. The Decision Statement must satisfy at least the following basic requirements: <ol style="list-style-type: none"> a) The Decision Statement must state the decision. The types of decisions available to the authorised person to make on behalf of the ANO are set out under the heading "What types of decision can the ANO make under this Code?" on page 23 of the Code. b) The Decision Statement must expressly state whether or not the decision made by the authorised person on behalf of the ANO is a conditional decision. c) If a conditional decision is made, the Decisions Statement must record the conditions of the decision and the reasons why these conditions are required.
EPA6	Section 2.6.3	<p>Outcomes required from the implementation stage. Where an Activity is to be implemented by the ANO or by a third party on its behalf, the ANO must adequately document how the Activity will be implemented.</p> <p>To achieve compliance, as a minimum:</p> <ol style="list-style-type: none"> 1. construction/implementation of an Activity must not occur until a determination for the Activity has been made under Stage 4 which allows the Activity to proceed without further EIA 2. in a case where the determination is subject to a condition requiring the ANO to prepare documentation prior to the commencement of implementation, such as a CEMP or the like, that documentation must be prepared before implementation of the Activity

IPART ref.	Code reference	Description
		<p>commences</p> <ol style="list-style-type: none"> the documentation outlined in 2 above should be reflective of an Activity's scope and impacts and be detailed enough that personnel working on the site are clear about any conditions, safeguards, or mitigation measures which must be observed, and for Class 4 and 5 Activities with conditions of determination, or measures designed to mitigate the environmental impacts of the Activity adopted during Stage 3, an ANO must record, at the conclusion of the construction phase of an Activity, how and whether those conditions and measures were observed. The documentation must be sufficient to enable a reasonable person who reads the documentation to understand, without reference to any extrinsic material, whether the conditions and measures in question were observed, and the nature of and reasons for any non-compliance.
EPA7	Section 2.3.6	<p>A Consultation Protocol must be developed by an ANO and published on its website within three months of the Code commencing to apply to the ANO.</p> <p>To achieve compliance, the Consultation Protocol must:</p> <ol style="list-style-type: none"> incorporate the interim Additional Consultation Requirements for Class 4 and 5 Activities which are set out in section 2.3.6 of the Code, in respect of consultation with the Secretary and Government Agencies commit the ANO to comply with Additional Consultation Requirements in respect of consultation with members of the public for Class 4 and 5 Activities, based on the nature and complexity of environmental impacts, having regard to the Public Participation Spectrum developed by the International Association for Public Participation (IAP2), and consideration of the interim Additional Consultation Requirements under the Code, and describe the procedure that the ANO will follow in order to decide what Additional Consultation Requirements in respect of consultation with members of the public will apply to a particular proposed Class 4 or 5 Activity.
EPA8	Section 2.4.2	<p>To achieve compliance, an SER document must contain information pertaining to:</p> <ol style="list-style-type: none"> the proposed Activity: a clear description of the Activity including any mitigation measures to be implemented the proponent, determining authorities and any required approvals the environment of the Activity the impacts of the Activity a consultation record a summary and conclusions.
EPA9	Section 2.4.3	<p>To achieve compliance, an REF document must contain information pertaining to:</p> <ol style="list-style-type: none"> the proposed Activity: a clear description of the Activity including any mitigation measures to be implemented certification – a statement signed and dated by the person with principal responsibility for preparing the REF the proponent, determining authorities and any required approvals the environment of the Activity the impacts of the Activity mitigating measures that will apply to the Activity

IPART ref.	Code reference	Description
		<ol style="list-style-type: none"> a summary of impacts a consultation record conclusions regarding an EIS and/or a SIS.
EPA10	Section 4.3	<p>An ANO must retain:</p> <ol style="list-style-type: none"> Final EIA Documentation, for at least five years from the date upon which a Decision Statement relating to the Activity the subject of the document was issued a Decision Statement issued under this Code, for at least five years from the date the Decision Statement was issued Consultation Documentation, for at least five years from the date the communication recorded in the document in question was made, and Implementation Documentation, for at least five years from the date the implementation of the Activity to which the document in question relates was completed.
EPA11	Section 4.4	<p>An ANO must publish on its website, and make available for download without cost, copies of:</p> <ol style="list-style-type: none"> all Final EIA Documentation for Class 4 and 5 Activities, within 20 business days of the issue of a Decision Statement all Decision Statements for Class 4 and 5 Activities, within 20 business days of issue any Final EIA Documentation or Decision Statement for a Class 3 Activity which is released to a member of the public under Section 4 of the Code within 20 business days of release the Code as in force from time to time, within 20 business days of commencement or modification, and any Consultation Protocol in force from time to time under the Code which relates to the ANO in question.
EPA12	Section 4.6	<p>An ANO must respond to a request for access to a document under Section 4 of the Code within 20 business days of the application being made by:</p> <ol style="list-style-type: none"> providing a copy of the applied for document/s to the applicant by any reasonable means writing to the applicant for the purpose of imposing a processing fee, or writing to the applicant to decline to provide the applied for document/s.

H Description of employee of a network operator

Schedule 4 of the *Electricity Network Assets (Authorised Transactions) Act 2015* describes an employee in clauses 16, 17 and 18 as follows:

16 Cadets, trainees and graduate engineers

A person employed as a cadet, trainee or graduate engineer is an employee for the purposes of this Schedule (including for the purposes of employee guarantees under this Schedule).

17 Fixed term employees

- (1) A fixed term employee is an employee for the purposes of this Schedule (including for the purposes of employee guarantees under this Schedule).
- (2) In this clause, **fixed term employee** means an employee whose terms and conditions of employment are provided by an individual contract that provides for a fixed term of employment and not by an award, agreement or other industrial instrument (under a law of the State or the Commonwealth) that provides for the terms and conditions of employment of employees.

18 Contract employees

- (1) A contract employee is an employee for the purposes of this Schedule (including for the purposes of employee guarantees under this Schedule).
- (2) In this clause, **contract employee** means an employee whose terms and conditions of employment are provided by an individual contract and not by an award, agreement or other industrial instrument (under a law of the State or the Commonwealth) that provides for the terms and conditions of employment of employees.

An employee of a network operator is further described in clause 20, as follows:

20 Interpretation—employees of network operator

- (1) A person is an employee of a network operator for the purposes of this Schedule if the person carries out work solely or primarily in connection with the business of the network operator and is employed by:
 - (a) the network operator, or
 - (b) an associated entity of the network operator, or
 - (c) an entity that provides the services of the person exclusively to the network operator on an ongoing basis.

Glossary

AEMO	means the Australian Energy Market Operator
AER	means the Australian Energy Regulator
ANO	means Authorised Network Operator and is an entity that controls or operates a distribution or transmission system that has been transferred to the private sector (transacted system); which has the same meaning as defined in the <i>Electricity Network Assets (Authorised Transactions) Act 2015</i> (NSW).
ASP	means Accredited Service Provider and is a person accredited for the provision of contestable services; as defined in the <i>Electricity Supply (Safety and Network management) Regulation 2014</i> (NSW)
CAIDI	Customer Average Interruption Duration Index
Distribution Ring Fencing Guidelines	Guidelines as developed at 19 February 2003 by IPART under clause 6.20 of the National Electricity Code
ECG	Electrocardiogram
EIA	means Environmental Impact Assessment and is an environmental assessment process followed to demonstrate compliance with section 111 of the EP&A Act for Activities; as defined in the NSW Code of Practice for Authorised Network Operators.
Electrical Installations	Has the same meaning as defined in the <i>Electricity Supply Act 1995</i> (NSW)
Electricity works	Has the same meaning as defined in the <i>Electricity Supply Act 1995</i> (NSW)
ENO	Electricity Network Operators
ENSMS	Electricity Network Safety Management System
EP&A Act	<i>Environmental Planning & Assessment Act 1979</i> (NSW)
ESA	<i>Electricity Supply Act 1995</i> (NSW)
Extra-low voltage	Not exceeding 50 V a.c. or 120 V ripple-free d.c. as per AS/NZS 3000:2007 Wiring Rules
HV	High Voltage

IPART	Independent Pricing and Regulatory Tribunal
LV	Low Voltage
MED	Major Event Day – as defined in any applicable licence conditions for the ENO
MOR	Electricity Market Operations Rules
NDA	Nominated Determining Authority
OH	Overhead
Quarter	means a period of three months commencing 1 January, 1 April, 1 July and 1 October and concluding on the following 31 March, 30 June, 30 September and 31 December dates respectively, as the case may be; as defined in the reliability and performance licence conditions for electricity distributors.
REF	means Review of Environmental Factors and, depending on the context, can refer to a type of documentation of an EIA process, or the process itself; as defined in the Code.
SAIDI	means System Average Interruption Duration Index and is the average derived from the sum of durations of each sustained customer interruption (measured in minutes) divided by the total number of customers (averaged over the financial year) of the licence holder; as defined in the reliability and performance licence conditions for electricity distributors.
SAIFI	means System Average Interruption Frequency Index and is the average derived from the total number of sustained customer interruption divided by the total number of customers (averaged over the financial year) of the licence holder; as defined in the reliability and performance licence conditions for electricity distributors.
SENI	Serious Electricity Network Incident
SER	means Summary Environmental Report and, depending on the context, can refer to a type of documentation of an EIA process, or the process itself; as defined in the Code.
SEWA	means Serious Electricity Works Accident and is an accident in which electricity works are involved, and as a consequence of which a person dies or suffers permanent disability, is hospitalised, receives treatment from a health care professional or is unable to attend work for any period of time; as defined in the ESA.

SIS	means Species Impact Statement and is a statement referred to in Division 2 of Part 6 of the <i>Threatened Species Conservation Act 1995</i> (NSW), and includes an environmental impact statement prepared under the EP&A Act that contains a species impact statement.
STPIS	Means the Service Target Performance Incentive Scheme created, administered and maintained by the AER in accordance with the requirements of the National Electricity Rules.
WHS Act	<i>Work Health and Safety Act 2011</i> (NSW)