



New South Wales

# Electricity Infrastructure Investment Amendment (Renewable Energy Sources) Regulation 2022

under the

Electricity Infrastructure Investment Act 2020

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Electricity Infrastructure Investment Act 2020*.

MATT KEAN, MP  
Minister for Energy

## Explanatory note

The object of this Regulation is to provide that LTES agreements may not be entered into for—

- (a) the construction and operation of generation infrastructure if the infrastructure involves generation from wood waste from timber native to Australia, or
- (b) the construction and operation of firming infrastructure if the infrastructure involves electricity generated from biomass from timber native to Australia.

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### 1 Name of Regulation

This Regulation is the *Electricity Infrastructure Investment Amendment (Renewable Energy Sources) Regulation 2022*.

### 2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

### 3 Amendment of Electricity Infrastructure Investment Regulation 2021

#### (1) Clause 28 Competitive tenders for LTES agreements—the Act, s 47(3)(a)

Insert after clause 28(2)—

(2A) A person may not make a tender bid in a competitive tender for an LTES agreement for generation infrastructure if the infrastructure involves generation from wood waste from timber native to Australia.

(2B) A person may not make a tender bid in a competitive tender for an LTES agreement for firming infrastructure if the infrastructure involves electricity generated from biomass from timber native to Australia.

#### (2) Clause 29 Tender rules

Insert after clause 29(3)—

(4) This clause is subject to clause 28(2A).

#### (3) Clause 31A

Insert after clause 31—

#### 31A Circumstances in which LTES agreements may not be made—the Act, s 49(2)

(1) An LTES agreement for generation infrastructure may not be made if the infrastructure involves generation from wood waste from timber native to Australia.

(2) An LTES agreement for firming infrastructure may not be made if the infrastructure involves electricity generated from biomass from timber native to Australia.