



New South Wales

# Electricity Infrastructure Investment Amendment (Infrastructure Planner) Regulation 2023

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*.

PENNY SHARPE, MLC  
Minister for Energy

## Explanatory note

The object of this regulation is to amend the *Electricity Infrastructure Investment Regulation 2021* to—

- (a) prescribe additional functions of an infrastructure planner for particular renewable energy zones to which an access scheme applies, and
- (b) update the dates for the prescribed reliability standard, and
- (c) make a minor amendment.

## **Electricity Infrastructure Investment Amendment (Infrastructure Planner) Regulation 2023**

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### **1 Name of regulation**

This regulation is the *Electricity Infrastructure Investment Amendment (Infrastructure Planner) Regulation 2023*.

### **2 Commencement**

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

## Schedule 1 Amendment of Electricity Infrastructure Investment Regulation 2021

[1] **Clause 23 Reliability standard—the Act, s 43**

Omit “2025” wherever occurring. Insert instead “2028”.

[2] **Clause 42C, heading**

Insert “—access schemes” after “planner”.

[3] **Clause 42D**

Insert after clause 42C—

**42D Functions of infrastructure planner—particular renewable energy zones—the Act, s 63(4)(d)**

(1) This clause applies if—

- (a) the Energy Corporation is appointed as the infrastructure planner for a renewable energy zone, and
- (b) the Minister has declared, in accordance with the Act, section 24(1), the access scheme that applies in the renewable energy zone or part of the renewable energy zone, and
- (c) the declaration specifies that the scheme financial vehicle is, in relation to the access scheme, liable to pay the infrastructure planner the component of fees payable under the Act, section 26 to be held for use for—
  - (i) a community purpose, or
  - (ii) an employment purpose.

**Note—** See the *Energy and Utilities Administration Act 1987*, section 35, which establishes the Energy Administration Account.

(2) The infrastructure planner for a renewable energy zone to which an access scheme applies has the following functions—

- (a) to administer, manage and make payments of money held for use in relation to a community purpose or employment purpose,
- (b) to make guidelines about the administration, management and payment of money under this clause.

(3) In this clause—

*community purpose* has the same meaning as in the Act, section 26.

*employment purpose* has the same meaning as in the Act, section 26.

[4] **Clause 67, heading**

Omit “battery is zero”. Insert instead “firming infrastructure”.