



New South Wales

Electricity Infrastructure Investment Amendment (Renewable Energy Sector Plan) Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Electricity Infrastructure Investment Act 2020* in relation to the plan for the NSW renewable energy sector prepared by the board for manufacturing and construction in the sector, including by—

- (a) requiring a draft plan and proposed amendments to an approved plan to be published on the website of the Department of Climate Change, Energy, the Environment and Water, and
- (b) providing for public consultation in relation to a draft plan or proposed amendments, and
- (c) requiring the board to consider certain requests for amendments to increase targets in the plan about the use of locally produced and supplied goods and services, and
- (d) providing that a condition imposed in relation to the carrying out of a network infrastructure project is not required, in certain circumstances, to be consistent with a target in the plan about the use of locally produced and supplied goods and services.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Electricity Infrastructure Investment Act 2020 No 44

Schedule 1[1]–[4] give effect to the object set out in the overview.



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This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly

Clerk of the Legislative Assembly



New South Wales

Electricity Infrastructure Investment Amendment (Renewable Energy Sector Plan) Bill 2024

No. _____, 2024

A Bill for

An Act to amend the *Electricity Infrastructure Investment Act 2020* in relation to the making of the plan for the NSW renewable energy sector; and for related purposes.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.

Legislative Council

Clerk of the Parliaments

The Legislature of New South Wales enacts—

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1 Name of Act

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This Act is the *Electricity Infrastructure Investment Amendment (Renewable Energy Sector Plan) Act 2024*.

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2 Commencement

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This Act commences on the date of assent to this Act.

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Schedule 1	Amendment of Electricity Infrastructure Investment Act 2020 No 44	1
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[1] Section 8 Plan for NSW renewable energy sector		3
Omit section 8(2)–(4). Insert instead—		4
(2) The board must—		5
(a) give a draft plan to the Minister for approval, and		6
(b) make amendments to the draft plan as requested by the Minister.		7
(3) The board may amend an approved plan at any time with the Minister’s approval.		8
(4) Before giving a draft plan or proposed amendment to the Minister for approval, the board must—		10
(a) publish the draft plan or proposed amendment on the Department’s website, and		12
(b) invite submissions on the draft plan or proposed amendment for a period of at least 28 days, and		14
(c) consider submissions received during the period.		16
(4A) Before approving a draft plan or proposed amendment, the Minister must consider—		17
(a) submissions received under subsection (4), and		19
(b) a recommendation made by the regulator under subsection (4B).		20
(4B) The regulator may make a recommendation to the Minister about a draft plan or proposed amendment to an approved plan.		21
(4C) In making a recommendation, the regulator must consider—		23
(a) whether the draft plan or proposed amendment is consistent with Australia’s international trade obligations, and		24
(b) for a recommendation relating to the objective specified in subsection (1)(a)—the social and economic benefits of the draft plan or proposed amendment for the NSW community and economy, and		26
(c) for a recommendation relating to the objectives specified in subsection (1)(b)–(d)—whether the draft plan or proposed amendment protects the financial interests of NSW electricity customers.		27
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[2] Section 8(5)		32
Omit “A plan approved by the Minister”.		33
Insert instead “An approved plan, or an approved amendment to an approved plan.”.		34
[3] Section 8A		35
Insert after section 8—		36
8A Requests for amendments to plan		37
(1) This section applies if a draft plan or approved plan specifies a minimum proportion of goods and services that must be locally produced and supplied for the purposes of the objective specified in section 8(1)(a).		38
(2) If the board receives a request to amend the draft plan or approved plan to increase the minimum proportion, the board must consider—		39
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(a)	the request, and	1
(b)	whether an amendment to the draft plan or approved plan should be made.	2 3
(3)	Within 60 working days after receiving the request, the board must publish—	4
(a)	its decision about the request, and	5
(b)	if the board decides not to propose an amendment in accordance with the request—the reasons for the decision.	6 7
(4)	This section does not apply to a request—	8
(a)	made by the Minister, or	9
(b)	that the board considers frivolous or vexatious.	10
[4]	Section 9 Effect of plan	11
	Insert after section 9(4)—	12
(5)	A condition under this section is not required to be consistent with a specific target in the plan about the use of locally produced and supplied goods and services if the Minister is satisfied the condition is appropriate because of a shortage of supply.	13 14 15 16