

c2025-322B  
GRNS--The Greens

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LEGISLATIVE COUNCIL

**Energy Legislation Amendment Bill 2025**

**First print**

**Proposed amendments**

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No. 1 **Community benefits equity—access areas**

Page 3, Schedule 1. Insert after line 37—

**[2A] Part 4, heading**

Insert “, **access areas**” after “**Renewable energy zones**”.

**[2B] Part 4, Division 1, heading**

Insert “**and access areas**” after “**Renewable energy zones**”.

**[2C] Section 19, heading**

Omit “**zone**”. Insert instead “**zones**”.

**[2D] Section 19A**

Insert after section 19—

**19A Minister may declare access areas**

- (1) The Minister may, by order published in the Gazette, declare an access area comprising—
  - (a) a specified geographical area of the State, and
  - (b) specified generation, storage or network infrastructure, including planned or existing infrastructure.
- (2) The geographical area that forms part of the access area must not include any part of the geographical area that forms part of—
  - (a) a renewable energy zone, or
  - (b) another access area.
- (3) The network infrastructure that forms part of an access area may extend outside the geographical area specified in the declaration.
- (4) A declaration must include the following—
  - (a) a map showing the geographical area,
  - (b) the infrastructure planner appointed by the Minister for the access area or part of the access area,

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- (c) other matters prescribed by the regulations.
  - (5) The Minister may declare an access area only if the Minister is satisfied—
    - (a) making the declaration is—
      - (i) consistent with the objects of this Act, and
      - (ii) in the public interest, and
    - (b) of any other matters prescribed by the regulations.
  - (6) A declaration must be published on the Department’s website.
  - (7) The regulations may make further provision about the exercise of the Minister’s functions under this section.

**[2E] Section 20, heading**

Omit “**zone**”. Insert instead “**zones and access areas**”.

**[2F] Section 20**

Insert “or an access area” after “renewable energy zone”.

**[2G] Section 21, heading**

Omit the heading. Insert instead—

**21 Applications for declarations of renewable energy zones and access areas**

**[2H] Section 21(1) and (2)**

Insert “or an access area” after “renewable energy zone” wherever occurring.

**[2I] Section 22A**

Insert after section 22—

**22A Amendment of access area declarations**

- (1) The Minister may amend a declaration of an access zone for the following purposes only—
  - (a) to expand the geographical area that forms the access area,
  - (b) to specify additional generation, storage and network infrastructure as forming part of the access area,
  - (c) to provide further details and specifications about information contained in the declaration,
  - (d) to correct a minor error or misdescription.
- (2) The Minister cannot repeal a declaration of an access area under section 19A.

**[2J] Part 4, Division 2, heading**

Insert “**and access areas**” after “**renewable energy zones**”.

**[2K] Section 24, heading**

Insert “or access area” after “renewable energy zone”.

**[2L] Section 24(1) and (2)**

Omit the subsections. Insert instead—

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- (1) The Minister may, by order published in the Gazette, declare the access scheme that applies—
    - (a) in a renewable energy zone or part of a renewable energy zone, or
    - (b) in an access area or part of an access area.
  - (2) An access scheme is a scheme that—
    - (a) for an access scheme under subsection (1)(a)—authorises or prohibits access to, and use of, specified network infrastructure by network operators and operators of generation and storage infrastructure in the renewable energy zone, or the part of the renewable energy zone, to which the scheme applies, or
    - (b) for an access scheme under subsection (1)(b)—authorises or prohibits access to, and use of, specified network infrastructure by network operators and operators of generation and storage infrastructure in the access area, or the part of the access area, to which the scheme applies.

**[2M] Section 24(4)**

Insert “or an access area” after “renewable energy zone”.

**[2N] Section 26 Fees for access schemes**

Insert “or access area” after “renewable energy zone” in section 26(1)(c).

**[2O] Section 27 Application of National Electricity (NSW) Law and National Electricity Rules**

Insert “or access area” after “renewable energy zone” in section 27(1)(a).

No. 2 **Community benefits equity—access areas**

Page 3, Schedule 1[3], proposed section 26(7), lines 41–44. Omit all words on the lines. Insert instead—

*community purpose* means a purpose that benefits the community in a council area that, at any time after the declaration of the access scheme, is or has been wholly or partly within—

- (a) the geographical area that forms the renewable energy zone to which the access scheme applies, or
- (b) the geographical area that forms the access area in relation to which the access scheme applies.

No. 3 **Community benefits equity—access areas**

Page 4, Schedule 1[3], proposed section 26(7), lines 5–9. Omit all words on the lines. Insert instead—

*employment purpose* means a purpose that promotes employment, skills and training for persons who live or work in a council area that, at any time after the declaration of the access scheme, is or has been wholly or partly within—

- (c) the geographical area that forms the renewable energy zone to which the access scheme applies, or
- (d) the geographical area that forms the access area to which the access scheme applies.

No. 4 **Infrastructure investment objectives**

Page 10, Schedule 1. Insert after line 4—

**[22A] Section 44 Infrastructure investment objectives**

Omit section 44(3)(a). Insert instead—

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- (a) construction of generation infrastructure that generates at least the same amount of electricity in a year as 16 gigawatts of generation capacity, and

**[22B] Section 44(3A)**

Omit “28 gigawatt hours”. Insert instead “42 gigawatt hours”.

No. 5 **Community benefits equity—access areas**

Page 10, Schedule 1. Insert after line 6—

**[23A] Section 63 Infrastructure planner**

Insert after section 63(2)—

- (2AA) An infrastructure planner may be appointed to exercise functions in relation to an access area or part of an access area.

**[23B] Section 63(3A)**

Insert after section 63(3)—

- (3A) The functions of an infrastructure planner in relation to an access area or part of an access area must be exercised by the Energy Corporation at any time during which a person is not appointed as the infrastructure planner for the access area or part of the access area.

No. 6 **Community benefits equity—access areas**

Page 10, Schedule 1. Insert after line 38—

**[25A] Section 73 Personal liability**

Omit section 73(3), definition of *protected person*, paragraph (e). Insert instead—

- (e) the infrastructure planner, except in relation to the following—
- (i) the administration of an access scheme in a renewable energy zone or access area,
  - (ii) the carrying out of construction or development of storage and network infrastructure,

No. 7 **Community benefits equity—access areas**

Page 12, Schedule 1. Insert after line 28—

**[29A] Dictionary**

Omit the definition of *access scheme*. Insert instead—

*access scheme* means an access scheme declared by the Minister under section 24(1) that applies in—

- (a) a renewable energy zone or part of a renewable energy zone, or
- (b) an access area or part of an access area.

No. 8 **Community benefits equity—access areas**

Page 12, Schedule 1[30]. Insert after line 30—

*access area* means the geographical area of the State and the infrastructure specified in a declaration by the Minister under section 19A.

No. 9 **Embedded network electricity charges**

Page 26, Schedule 6[2], lines 9 and 10. Omit all words on the lines.