

ENERGY LEGISLATION AMENDMENT BILL 2021

Schedule of the amendments referred to in the Legislative Council's message of 21 October 2021.

No. 1 **GRN No. 1 [c2021-113C]**

Page 8, Schedule 1[28], proposed section 192A. Insert after line 29—

192A Regulations relating to community-scale batteries

- (1) The regulations may provide for the construction and use of community-scale batteries, including provisions that deal with the following—
 - (a) authorising and facilitating the ownership and operation of community-scale batteries, or classes of community batteries, by specified persons,
Example— Regulations could authorise and facilitate the ownership and operation of community-scale batteries by the following—
 - (a) local councils,
 - (b) distribution network service providers,
 - (c) incorporated associations,
 - (d) co-operatives.
 - (b) regulating service tariffs for energy flows between connection points where a community-scale battery scheme operates,
 - (c) exempting community-scale batteries from fees, charges or tariffs under this or any other Act,
 - (d) ensuring community-scale batteries do not compromise the energy security and reliability of the distribution and transmission systems.
- (2) The regulations may modify the application of, or disapply, a provision of the *National Electricity (NSW) Law* or the *National Electricity Rules* to the extent reasonably necessary to give effect to regulations made under subsection (1).
- (3) In this section, **community-scale battery** is a battery or series of inter-connected batteries with a storage capacity not exceeding 30 megawatts.

No. 2 **OPP No. 1 [c2021-111G]**

Page 35, Schedule 3[2]. Insert after line 12—

- (1B) An action by the Corporation under subsection (1A) must—
 - (a) be consistent with the obligations of the Corporation under a sustainable forest management certification scheme, including the following—
 - (i) restrictions on converting forested land to non-forest uses,
 - (ii) requirements to support local communities and timber processors with sustainable yield of forest products in the short, medium, and long term, and
 - (b) not result in premature harvesting of timber or the net loss of timber or land available for forestry operations.
- (1C) The Corporation must ensure that any land used for forestry operations in substitution for land used for the construction and operation of renewable energy infrastructure—
 - (a) is a similar distance from local timber processors as the land for which it is substituted, and
 - (b) is of the same or greater productive capacity, and
 - (c) has the same or greater average annual rainfall.

No. 3 **OPP No. 2 [c2021-111G]**

- (1A) The land manager of a forestry area must not issue a permit under subsection (1)(b) unless the land manager is satisfied that issuing the permit—
 - (a) is consistent with the obligations of the land manager under a sustainable forest management certification scheme, including the following—
 - (i) restrictions on converting forested land to non-forest uses,
 - (ii) requirements to support local communities and timber processors with sustainable yield of forest products in the short, medium, and long term, and
 - (b) will not result in premature harvesting of timber or the net loss of timber or land available for forestry operations.
- (1B) The land manager of a forestry area must not issue a permit under subsection (1)(b) unless land used for forestry operations in substitution for the land subject to the permit—
 - (a) is a similar distance from local timber processors as the land for which it is substituted, and
 - (b) is of the same or greater productive capacity, and
 - (c) has the same or greater average annual rainfall.