

**Our reference:** D24/24632  
**Your reference:**

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28 October 2024

The Hon. Penny Sharpe  
Minister for Climate Change, Minister for Energy,  
Minister for the Environment, and Minister for Heritage  
Leader of the Government in the Legislative Council

via email

Dear Minister,

**Annual report on functions under s 70 of the *Electricity Infrastructure Investment Act 2020***

I am pleased to attach IPART's report on the exercise of functions by entities under s 70 of the *Electricity Infrastructure Investment Act 2020* (EII Act) for the 2023-24 financial year (FY 2023-24). Under the EII Act, we must submit a report to you by no later than 4 months after the end of the financial year to which the report relates.

We have prepared an annual report on the exercise of functions by the Consumer Trustee, Financial Trustee, Infrastructure Planner and Regulators (Australian Energy Regulator, NSW Environment Protection Authority and IPART). These entities each provided us with a report on the exercise of their functions under the EII Act during FY 2023-24.

The EII Act creates a framework to deliver the NSW Government's Electricity Infrastructure Roadmap (Roadmap). In Chapter 2 of our annual report, we provide an overview of the key developments in the Roadmap during FY 2023-24.

You have requested the following information to be included in the annual report, which is in Chapter 3:

- Local content commitments made and corresponding results due to the Consumer Trustee and Infrastructure Planner's consideration of the Renewable Energy Sector Board's Plan, when exercising their functions under the EII Act.
- Consultation with local Aboriginal communities and income and employment commitments made and corresponding results for local Aboriginal communities due to the Consumer Trustee and Infrastructure Planner's consideration of the First Nations Guidelines when exercising their functions under the EII Act.
- The Department's Monitoring, Evaluation, Reporting and Improvement framework indicators, which track and report on the Roadmap. Include the reporting of indicators that relate to the 2 areas highlighted above where possible.
- A summary of long-term energy service agreements and access rights that have been awarded in FY 2023-24.

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For future annual reports, we expect to report more information in line with the Minister's information request. There is a need to balance the confidentiality of community commitments and benefit outcomes from Roadmap projects, with the transparency and accountability for customers and the affected communities. The Consumer Trustee and Infrastructure Planner have provided aggregated or qualitative information on commitments made on local content and for local Aboriginal communities. However, they have not provided information on the corresponding results in detail. Both the Consumer Trustee and Infrastructure Planner consider further information to be commercial in confidence.

The Department of Climate Change, Energy, the Environment and Water has provided 9 indicators for this report. Indicators for outcomes relating to the Renewable Energy Sector Board's Plan and local Aboriginal communities have not been included. However, the implementation of the MERI framework is at an early stage, and we expect the availability of this data will improve over time.

We will now publish the annual report on our website as soon as reasonably practical, as required by s 70(5) of the EII Act.

IPART's contact officer for this annual report is Christine Allen, Director, Regulation & Compliance, contactable on 0402 438 246.

Yours sincerely

28/10/2024

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Andrew Nicholls PSM  
Chief Executive Officer

Signed by: [andrew.nicholls@ipart.nsw.gov.au](mailto:andrew.nicholls@ipart.nsw.gov.au)