

Introduction

In response to a request from the Independent Pricing and Regulatory Tribunal (IPART) on 24 July 2025 to Liam Ryan, the delegate of the Infrastructure Planner (IP), the following facilitates IPART's response to the letter from the Minister dated 26 May 2025.

Appointment as Infrastructure Planner

The Minister for Energy appointed the Secretary of the Department of Climate Change, Energy, the Environment and Water (DCCEEW) as the IP in an instrument dated 19 December 2024. These functions were delegated to Liam Ryan, Executive Director, Energy Infrastructure within the Department on 23 December 2024.

System Strength Project

The System Strength Project is proposed to involve the design, supply, delivery, installation and commissioning of Synchronous Condensers (SynCons) at five of Transgrid's existing substations at Kemps Creek, Armidale, Darlington Point, Newcastle and Wellington to address a forecast system strength shortfall in 2027-28. The System Strength Project also involves associated works required to integrate the SynCons at the five existing substations.

Table of functions

Table 1 Functions of the Infrastructure Planner under the EII Act and the EII Regulation

On 19 December 2024, the Secretary of the New South Wales DCCEEW (the Secretary) was appointed as the IP for the System Strength project, with functions under s63(4)(a) and s63(4)(c) of the EII Act.

Function area	Ref ^a	Function ^b	Comments
Consultee about declarations of access regimes	Section 24(6)(a)	The Minister must consult with the Infrastructure Planner before the Minister declares an access scheme that is to apply in a renewable energy zone, or part of a renewable energy zone.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25 and is not expected to exercise this function in FY 2025-26.

^a In this column, references to sections are to section of the EII Act, while references to clauses are references to clauses of the EII Regulation.

^b In this column, references to the Regulator are to IPART for performance audit and annual report-related functions, to the EPA for functions under Part 12 of the EII Regulation, and otherwise to the Australian Energy Regulator for all other functions.

Function area	Ref ^a	Function ^b	Comments
			Additionally, the project will be a priority transmission infrastructure project, rather than a REZ network infrastructure project or an access scheme.
Orders prohibiting connection to network infrastructure	Section 29(1)	The Infrastructure Planner may, by order served on a relevant operator, prohibit the relevant operator from allowing a proponent to connect proposed infrastructure to the relevant operator's network infrastructure.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25
	Sections 29(3)-(5)	The Infrastructure Planner must seek and consider submissions from relevant parties ^c , and must not make an order unless they are satisfied of the criteria in section 29(4) or if the proponent has development consent under the <i>Environment Planning and Assessment Act 1979</i> (EP&A Act) to construct and operate the proposed infrastructure. An order must apply to network infrastructure in a specified area within a renewable energy zone.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25
	Section 29(6)	The Infrastructure Planner is to publish guidelines on its website about the exercise of its functions under section 29.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25
Recommend REZ network infrastructure projects for renewable energy zone	Section 30	The Infrastructure Planner for a renewable energy zone (currently EnergyCo) is to assess and make recommendations to the Consumer Trustee about REZ network infrastructure projects required for the renewable energy zone within the period specified by the Consumer Trustee. In assessing and making recommendations about REZ network infrastructure projects, the Infrastructure Planner must consult the relevant parties ^d .	The Minister did not appoint the Secretary to exercise this function. The appointment relates to specific functions in relation to the System Strength Acceleration Project, a priority transmission infrastructure project, as specified in the letter of appointment dated 19 December 2024. The System Strength Acceleration Project is not a REZ network infrastructure project. Therefore, the IP did not exercise this function in FY 2024-25.
Technical specifications for REZ network infrastructure projects	Clause 44 (s 30)	The Infrastructure Planner's assessment and recommendations about a REZ network infrastructure project must deal with the matters prescribed in this clause.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25. Additionally, the project will be a priority transmission infrastructure project, rather than a REZ network infrastructure project.
Consultee for revenue determinations	Clause 49(1) and (2) (s 38(10)(a))	The Infrastructure Planner is to be consulted by the Regulator before the Regulator makes a revenue determination. The Infrastructure Planner must give the Regulator all information about an infrastructure project that the Regulator considers necessary to make the revenue determination, including—	This did not occur in FY 2024-25. This is anticipated to occur in FY 2025-26.

^c Under section 29(3) these are the relevant operators in the local area, the proponent, and the local council in the local area.

^d Section 30(3). AEMO, relevant operators in the renewable energy zone and each local council in the renewable energy zone.

Function area	Ref ^a	Function ^b	Comments
		(a) information about or obtained from a competitive assessment process, or (b) information relevant to determining an amount under clause 47E(3).	
Consultee before revenue determinations are published	Clause 53(3) (s 38(10)(f))	The Infrastructure Planner is to be consulted by the Regulator before the Regulator publishes a revenue determination on its website.	This did not occur in FY 2024-25. This is anticipated to occur in FY 2025-26.
Consultee for review and remaking of revenue determinations for errors	Clause 54(2)(c) (s 40)	The Infrastructure Planner is to be consulted by the Regulator before the Regulator reviews or remakes a revenue determination for the purposes of correcting an error prescribed in subclause (1).	This did not occur in FY 2024-25.
Applying for a cost recovery declaration	Clause 54C(1)(b) and (3)(a) (ss 39(2) and 41)	The Infrastructure Planner, as a 'relevant person' for the purposes of clause 54C, may apply to the Minister for a cost recovery declaration. The Infrastructure Planner is to be consulted by the Minister before the Minister makes a cost recovery declaration.	This did not occur in FY 2024-25. This is anticipated to occur following the Regulator making a revenue determination.
Request for advice	Clause 18(1) (s 60(4)(c))	The Infrastructure Planner may request that the Consumer Trustee give advice about a network infrastructure project.	This did not occur in FY 2024-25.
Consultee for rules of conduct for competitive tenders for access schemes	Clause 42A(2)(a) (s 60(4))	The Infrastructure Planner is to be consulted by the Consumer Trustee when the Consumer Trustee makes rules about the conduct of a competitive tender in relation to the granting or increasing of access rights.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25.
Contracts	Section 63(4)(a)	The Infrastructure Planner has the function of contracting in connection with the exercise of its functions under the EII Act.	The Minister appointed the Secretary to exercise s63(4)(a) powers (in relation to the project) in the instrument dated 19 December 2024. Liam Ryan can also exercise this function as the delegate of the Secretary under the instrument dated 23 December 2024. None of the above relevant parties exercised this power in FY 2024-25.
Generation, storage, and network infrastructure	Section 63(4)(b)-(c)	The Infrastructure Planner is to investigate, plan, co-ordinate and carry out: - planning and design of generation infrastructure - planning, design, construction, and operation of storage and network infrastructure.	The Minister did not appoint the Secretary to exercise the function of S63(4)(b). Therefore, the IP did not exercise this function in FY 2024-25. The Minister appointed the Secretary to exercise the s63(4)(c) (in relation to the project) in the instrument dated 19 December 2024. Liam Ryan can also exercise this function as the delegate of the Secretary under the instrument dated 23 December 2024. For the System Strength Project, progress in planning, design construction and operation of network infrastructure included:

Function area	Ref ^a	Function ^b	Comments
			- On behalf of the IP, the IP delegate started carrying out the competitive assessment process of persons who will assist the network operator to carry out the two components of the project. - The first competitive assessment process relates to the design, manufacture, supply, delivery, installation, commissioning, operational support and maintenance of SynCons at five existing Transgrid substations. This process commenced in February 2025. - The second competitive assessment involves the design and construction of the associated works. This process commenced in May 2025.
Considerations	Clause 41 (s 63)	In exercising functions under Part 5 of the Act, the Infrastructure Planner must consider the guidelines issued by the Minister under section 4 (guidelines about consultation and negotiation with the local Aboriginal community) of the Act and the plan approved by the Minister under section 8 (Plan for NSW renewable energy sector) of the EII Act.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25.
Functions of the Infrastructure Planner – access schemes	Clause 42C(1) (s 63(4)(d))	The Infrastructure Planner may request the Consumer Trustee to conduct a competitive tender in relation to the granting or increasing of access rights— (a) under an access scheme, and (b) in accordance with the declaration for the access scheme.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25.
	Clause 42C(2) (s 63(4)(d))	The Infrastructure Planner for an access scheme must exercise: (a) the access scheme functions for the access scheme if the Infrastructure Planner is appointed to administer the access scheme, or (b) a particular access scheme function for the access scheme if the Infrastructure Planner is directed to exercise the function in the declaration for the access scheme.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25. Additionally, the project will be a priority transmission infrastructure project, rather than an access scheme.
Functions of the Infrastructure Planner – standard development agreement under access schemes	Clause 42CA (s 63(4)(d))	Subclause (1) prescribes the matters that the Infrastructure Planner must address in an agreement (a development agreement) between it and a participant for a project in relation to the grant or increase of access rights under the access scheme. The Infrastructure Planner must publish on its website the standard form and content of a development agreement (the standard development agreement) that includes the matters under subclause (1).	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25. Additionally, the project will be a priority transmission infrastructure project, rather than an access scheme.

Function area	Ref ^a	Function ^b	Comments
Functions of the Infrastructure Planner – particular renewable energy zones	Clause 42D (s 63(4)(d))	The Infrastructure Planner for a REZ 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) make guidelines about the administration, management, and payment of money under this clause. Subclause (1) prescribes the circumstances in which the Infrastructure Planner may exercise these functions.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25. Additionally, the project will be a priority transmission infrastructure project, rather than an access scheme.
Functions of the Infrastructure Planner – under the National Electricity Rules Chapter 9A	Clause 42E (s 63(4)(d))	An infrastructure planner has the following functions— (a) the functions of an infrastructure planner under the National Electricity Rules, Chapter 9A, (b) functions ancillary to the functions in paragraph (a), (c) the functions set out in Schedule 1B.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25.
Assessments and recommendations by the Infrastructure Planner	Clause 43 (ss 30 and 63(4))	The Infrastructure Planner must assess and make recommendations about the following— (a) proposed REZ network infrastructure projects, (b) priority transmission infrastructure projects in relation to which the Infrastructure Planner is appointed, (c) network operators who may be authorised or directed to carry out— (i) a REZ network infrastructure project, or (ii) a priority transmission infrastructure project (d) other persons who may assist the network operator to carry out— (i) a REZ network infrastructure project, or (ii) a priority transmission infrastructure project (e) the contractual arrangements that a network operator may be required to enter into to carry out a REZ network infrastructure project or priority transmission infrastructure project under an authorisation (the recommended contractual arrangements). The Infrastructure Planner may decide the extent of an assessment under subclause (1) and how the assessment will be carried out, including whether to carry out a competitive assessment process.	The Minister appointed the Secretary to exercise the Clause 43 powers in relation to the System Strength Project in the Instrument dated 19 December 2024. Liam Ryan can also exercise this function as the delegate of the Secretary under the instrument dated 23 December 2024. None of the above relevant parties exercised this power in FY 2024-25. The IP delegate's assessment and recommendations to the Minister are expected in FY 2025-26. These will include: - The System Strength Project - Network operators best placed to be authorised/directed to carry out the System Strength Project - Other persons who may assist the network operator to carry out the System Strength Project - The contractual arrangements that a network operator may be required to enter into to carry out the System Strength Project

Function area	Ref ^a	Function ^b	Comments
		An assessment and recommendation made by the Infrastructure Planner in relation to a priority transmission project must be provided to the Minister.	
Competitive assessment process	Clause 45(1)-(5) (ss 30(5)(a) and 63(4))	The Infrastructure Planner may carry out a competitive assessment process in relation to— (a) a proposed REZ network infrastructure project, or (b) a priority transmission infrastructure project in relation to which the Infrastructure Planner is appointed. Subclauses (2)-(4) prescribe the requirements if the Infrastructure Planner carries out a competitive assessment process. If the competitive assessment process is for a contestable augmentation, the Infrastructure Planner may work with the network operator for the related project when carrying out the functions under subclauses (1)–(4).	The Minister appointed the Secretary to exercise the Clause 45 powers in relation to the System Strength Project in the Instrument dated 19 December 2024. Liam Ryan can also exercise this function as the delegate of the Secretary under the instrument dated 23 December 2024. The IP delegate started carrying out the competitive assessment process of persons who will assist the network operator to carry out the two components of the project. The first competitive assessment process relates to the design, manufacture, supply, delivery, installation, commissioning, operational support and maintenance of SynCons at five existing Transgrid substations. This process commenced in February 2025. The second competitive assessment involves the design and construction of the associated works. This process commenced in May 2025. In carrying out the competitive assessment process, the IP delegate has: - Requested tenderers to submit binding bids for both components of the System Strength Project. - Developed eligibility criteria and a selection process alongside Transgrid in its Tender Evaluation Plans. - Engaged with the Regulator both before and during the competitive process to ensure consistency with the requirement to consult with the Regulator and provide information about and obtained through the process. - These processes are continuing into FY 2025-26.
Contribution determination	Clause 39 (s 64(4))	The Infrastructure Planner must, if requested to do so by the Regulator, provide information to the Regulator that the Regulator considers reasonably necessary to enable the regulator to make a contribution determination.	In February 2025, the Australian Energy Regulator (AER) made a contribution determination under s 56(1) of the EII Act. Noting a direction was not made in relation to the System Strength Acceleration project in FY 2024-25, the IP did not provide any data regarding the project to the Regulator.
Consultee for annual audit plans	Clause 69(2)(a) (s 67)	The Infrastructure Planner, as an 'audit subject' for the purposes of Part 13 of the EII Regulation, is to be consulted by the Regulator if the Regulator proposes to audit the Infrastructure Planner under the plan.	The Regulator (IPART) was notified of the appointment of the Secretary under s70(1) of the EII Act, and the delegation of these functions to Liam Ryan on 22 July 2025. The IP has not been notified of being the subject of an audit by IPART.
Consultee for scope of audits	Clause 71(2)(a)(i) (s 67)	The Infrastructure Planner, as an audit subject for the purposes of Part 13 of the EII Regulation, is to be consulted by the Regulator in determining the scope of the audit.	The Regulator (IPART) did not commence consultation on an audit scope in FY 2024-25.

Function area	Ref ^a	Function ^b	Comments
Consultee for performance audit guidelines	Clause 72(4)(a) (s 67)	The Infrastructure Planner, as an audit subject for the purposes of Part 13 of the EII Regulation, is to be consulted by the Regulator in developing or reviewing the performance audit guidelines.	The Regulator (IPART) did not commence consultation on developing or reviewing the performance audit guidelines in FY 2024-25.
Give information to the auditor	Clause 74 (s 67)	The Infrastructure Planner, as an audit subject for the purposes of Part 13 of the EII Regulation, must, if requested to do so by an auditor, provide information to the auditor that the auditor considers reasonably necessary for the audit.	The auditor did not request for information that it considers reasonably necessary for an audit in FY 2024-25.
Consultee for audit reports	Clause 75(2)(a) (s 67)	The Infrastructure Planner, as an audit subject for the purposes of Part 13 of the EII Regulation, is to be consulted by the auditor before publishing an audit report.	The auditor did not commence consultation on an audit report in FY 2024-25.
Annual reports	Section 70(1)	The Infrastructure Planner must, as soon as reasonably practicable after the end of each financial year, provide the Regulator with a report on the exercise of the functions under the Act during the financial year.	On 20 August 2025, the IP delegate provided a report of its functions to IPART under the EII Act for FY 2024-25.
Delegation	Section 71(2)	The Infrastructure Planner may delegate its functions, other than the power of delegation, to any person.	The Secretary delegated functions to Liam Ryan under the instrument dated 23 December 2024.
Access scheme functions	Schedule 1A of the EII Regulation	This Schedule sets out the access scheme functions that the Infrastructure Planner must exercise if the requirements of clause 42C(2) are met.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25.
Functions relating to National Electricity Rules, Chapter 9A	Schedule 1B of the EII Regulation	This Schedule sets out the functions relating to the National Electricity Rules, Chapter 9A that the Infrastructure Planner for an access scheme must exercise if making REZ access standards.	The Minister did not appoint the Secretary to exercise this function. Therefore, the IP did not exercise this function in FY 2024-25.