

## TASMANIA

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# **ENERGY CO-ORDINATION AND PLANNING AMENDMENT (TASMANIAN RENEWABLE ENERGY TARGET) BILL 2020**

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## **CONTENTS**

1. Short title
2. Commencement
3. Principal Act
4. Section 3 amended (Interpretation)
5. Part 1A inserted
  - PART 1A – Renewable Energy
  - 3B. Renewable energy source
  - 3C. Renewable energy targets
6. Section 13 amended (Annual report)
7. Section 13AA inserted
  - 13AA. Provision of certain information not to be regarded as restrictive trade practice
8. Repeal of Act



# **ENERGY CO-ORDINATION AND PLANNING AMENDMENT (TASMANIAN RENEWABLE ENERGY TARGET) BILL 2020**

This Public Bill originated in the House of Assembly, and, having this day passed, is now ready for presentation to the Legislative Council for its concurrence.

SHANE DONNELLY, *Clerk of the House*  
10 November 2020

*(Brought in by the Minister for Energy, the Honourable Guy  
Barnett)*

## **A BILL FOR**

**An Act to amend the *Energy Co-ordination and Planning Act 1995* to include provisions in relation to renewable energy targets and related matters**

Be it enacted by Her Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

### **1. Short title**

This Act may be cited as the *Energy Co-ordination and Planning Amendment (Tasmanian Renewable Energy Target) Act 2020*.

### **2. Commencement**

This Act commences on the day on which this Act receives the Royal Assent.

*Energy Co-ordination and Planning Amendment (Tasmanian  
Renewable Energy Target) Act 2020*  
*Act No. of 2020*

s. 3

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**3. Principal Act**

In this Act, the *Energy Co-ordination and Planning Act 1995*\* is referred to as the Principal Act.

**4. Section 3 amended (Interpretation)**

Section 3 of the Principal Act is amended as follows:

- (a) by inserting the following definition after the definition of *Hydro*:

***National Electricity Law*** means the Law that is contained in the Schedule (as amended from time to time) to the *National Electricity (South Australia) Act 1996* of South Australia;

- (b) by omitting “the *Economic Regulator Act 2009*.” from the definition of *Regulator* and substituting “the *Economic Regulator Act 2009*;”;

- (c) by inserting the following definition after the definition of *Regulator*:

***renewable energy source*** means any of the following energy sources:

- (a) solar;

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\*No. 47 of 1995

*Energy Co-ordination and Planning Amendment (Tasmanian  
Renewable Energy Target) Act 2020  
Act No. of 2020*

**s. 5**

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- (b) wind;
- (c) water;
- (d) an energy source declared under section 3B.

**5. Part 1A inserted**

After section 3A of the Principal Act, the following Part is inserted:

**PART 1A – RENEWABLE ENERGY**

**3B. Renewable energy source**

- (1) The Minister, by order, may declare an energy source to be a renewable energy source for the purposes of this Act.
- (2) Section 47(3), (3A), (4), (5), (6) and (7) of the *Acts Interpretation Act 1931* applies to an order under subsection (1) as if the order were regulations.

**3C. Renewable energy targets**

- (1) In this section –

**NEM** means the interconnected national electricity system used to convey, and control the conveyance of, electricity, the load of which is settled through the wholesale electricity

*Energy Co-ordination and Planning Amendment (Tasmanian  
Renewable Energy Target) Act 2020*  
*Act No. of 2020*

s. 5

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exchange operated and  
administered by the Australian  
Energy Market Operator under  
the National Electricity Rules;

***NEM-connected equipment*** means  
electricity-generating equipment,  
situated in Tasmania, that is  
connected to the Tasmanian  
electricity grid, whether or not –

- (a) the equipment is directly  
connected to that grid or  
is operated primarily for  
the provision of electricity  
to the Tasmanian  
electricity grid; and
- (b) any of the electricity  
generated by the  
equipment is conveyed to  
the Tasmanian electricity  
grid;

***Tasmanian electricity grid*** means so  
much of the NEM as is situated in  
Tasmania.

(2) The renewable energy targets are –

- (a) that, in at least one calendar year  
ending on or before  
31 December 2030, 15,750 GWh  
of electricity that is generated in  
that calendar year by NEM-  
connected equipment is to be

*Energy Co-ordination and Planning Amendment (Tasmanian  
Renewable Energy Target) Act 2020  
Act No. of 2020*

**s. 6**

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generated by utilising renewable energy sources or by converting renewable energy sources into electricity; and

- (b) that, in at least one calendar year ending on or before 31 December 2040, 21,000 GWh of electricity that is generated in that calendar year by NEM-connected equipment is to be generated by utilising renewable energy sources or by converting renewable energy sources into electricity.

**6. Section 13 amended (Annual report)**

Section 13(1) of the Principal Act is amended as follows:

- (a) by omitting “a report on the performance of the Director’s functions and the exercise of the Director’s powers under this Act in relation to that financial year.” and substituting “a report on –”;
- (b) by inserting the following paragraphs after subsection (1):
  - (a) the performance of the Director’s functions and the exercise of the Director’s powers under this Act in relation to that financial year; and

*Energy Co-ordination and Planning Amendment (Tasmanian  
Renewable Energy Target) Act 2020  
Act No. of 2020*

s. 7

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- (b) the progress made towards meeting the renewable energy targets set out in section 3C.

**7. Section 13AA inserted**

After section 13 of the Principal Act, the following section is inserted in Part 4:

**13AA. Provision of certain information not to be regarded as restrictive trade practice**

- (1) In this section –

*authorised person* means –

- (a) a person who holds, under the *Electricity Supply Industry Act 1995*, a licence authorising the generation, transmission or distribution of electricity; and
- (b) a person who is a prospective licence holder; and
- (c) the Director;

*distribution network* has the same meaning as in the National Electricity Rules;

*excluded information* means information in relation to the



*Energy Co-ordination and Planning Amendment (Tasmanian  
Renewable Energy Target) Act 2020*  
*Act No. of 2020*

s. 7

---

price, or cost, of goods or services required for the development of, or produced or to be produced by, a renewable energy project;

***National Electricity Rules*** means the National Electricity Rules made under the National Electricity Law;

***network service*** has the same meaning as in the National Electricity Rules;

***prospective licence holder*** means a person who –

(a) wishes –

(i) to establish, or modify, a connection to a transmission network or a distribution network; or

(ii) to receive a network service; and

(b) makes a connection enquiry under 5.3.2 or 5.3A.5 of the National Electricity Rules for a

*Energy Co-ordination and Planning Amendment (Tasmanian  
Renewable Energy Target) Act 2020*  
*Act No. of 2020*

s. 7

---

connection or service in  
Tasmania;

***relevant information*** means  
information, other than excluded  
information, relating to –

- (a) a renewable energy  
project; or
- (b) a connection, or proposed  
connection, of a  
renewable energy project  
to a distribution network  
or transmission network;

***renewable energy*** means electricity  
generated –

- (a) by utilising renewable  
energy sources; or
- (b) by converting renewable  
energy sources into  
electricity;

***renewable energy project*** means –

- (a) a development consisting  
of; or
- (b) a proposed development  
that is to consist of –

the installation of plant,  
equipment, lines, premises, or  
infrastructure, to enable the

*Energy Co-ordination and Planning Amendment (Tasmanian  
Renewable Energy Target) Act 2020*  
*Act No. of 2020*

**s. 8**

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generation, transmission or  
distribution of renewable energy;

*transmission network* has the same  
meaning as in the National  
Electricity Rules.

- (2) The provision by an authorised person, to another authorised person, of relevant information is, to the extent that the provision of the information may be used to draw an inference that there has been a contravention of Part IV of the *Competition and Consumer Act 2010* of the Commonwealth, authorised for the purposes of section 51(1) of that Act.

**8. Repeal of Act**

This Act is repealed on the first anniversary of  
the day on which it commenced.