



TASMANIA

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

No. 41 of 2020

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

No. 41 of 2020

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

[Royal Assent 27 November 2020]

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*.

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2. Commencement

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

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*:

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renewable energy source means any
of the following energy sources:

- (a) solar;
- (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 –

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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 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 –

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- (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 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):

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- (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
- (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;

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

excluded information means information in relation to the 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

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(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 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 –

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(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 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.

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*[Second reading presentation speech made in:–
House of Assembly on 10 November 2020
Legislative Council on 18 November 2020]*