

Unimin Australia Limited Submission on NGER System Regulations Discussion Paper

Attention: Greenhouse and Energy Reporting Taskforce

Based on a review of the material provided in the Regulation Discussion Paper and information provided at the Public information session held in Sydney on 1 November 2007, Unimin Australia Limited (Unimin) would like to make the following comments and raise the following queries:

- Section 2.6 Facilities – We acknowledge the intent of the definition of facility is to prevent corporations dividing up activities into separate business units so that they do not meet the facility thresholds. However, thinking forward to emissions trading for facilities, this may place vertically integrated co-located facilities (e.g. mine site and manufacturing plant) at a disadvantage. For example say the manufacturing plant emissions are the reason for triggering the 25kt threshold, the site (facility) will now also pay for the emissions from the mining component feeding the plant. If operating a standalone manufacturing plant and the raw materials are received from another site that is not a significant emitter (e.g.<25kt) there would not be an emissions cost on this raw material.

Therefore we support the notion on page 18 of the Discussion Paper that activities comprising more than one ANSZIC Division can be divided into multiple facilities. This could be made clearer though in the final regulations (assuming that this is the case).

- Latitudes and Longitudes – We would recommend only individual sites that trigger the reporting thresholds supply latitude and longitude (L&L) coordinates (e.g. as for NPI Reporting sites). In our example we may have 5 sites that will trip the individual (and thus corporate) reporting thresholds, but have an additional 40 sites that will not (but have to be reported on). The inclusion of L&L for these minor sites adds no real value to the NGER System.
- Is reporting under the NGER System deemed complete once data is inputted into OSCAR and validated?
- The FUEL TAX ACT 2006 - SECT 45.5 states certain entities to be members of Greenhouse Challenge Plus Programme

(1) You must not take into account, in your net fuel amounts for tax periods ending in a financial year, a total of more than \$3 million of fuel tax credits arising under section 41-5 unless the Environment Secretary has determined that you are a member of one of the following programmes:

(a) the Greenhouse Challenge Plus Programme;

(b) another programme determined, by legislative instrument, by the Environment Minister for the purposes of this section.

For those Corporations that were required by the Fuel Tax Act 2006 to join the AGO Greenhouse Challenge Plus Program to enable them to claim over \$3m in Fuel Tax Credits - will Registration under the NGER System result in the requirement to be a

member of Challenge Plus reverting to a Voluntary not Mandatory one and/or will the NGER System be determined by the Environment Secretary/Minister as a Programme applicable under Part (b)? This should be clearly explained in the Regulations.

Thank you for the opportunity to comment on the Regulation Discussion Paper. We hope that the information above can assist ensuring a workable framework for the NGER System.

Regards,

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