

10 March 2009

Assistant Secretary
Emissions Reporting and Policy Branch
Department of Climate Change

Dear Assistant Secretary,

1/89 York Street
Sydney NSW 2000
Tel: (61 2) 9262 6989
Fax: (61 2) 9262 6998

Office 1 Level 1
71 Molesworth Street
PO Box 212
Lismore NSW 2480
Tel: 1300 369 791
Fax: (61 2) 6621 3355

email: edonsw@edo.org.au
web: www.nsw.edo.org.au

Consultation Paper: *National Greenhouse and Energy Reporting Act 2007*

The Australian Network of Environmental Defender's Offices Inc (ANEDO) is pleased to provide comment on the Consultation Paper: Proposed amendment to Section 24(1)(b) of the *National Greenhouse and Energy Reporting Act 2007* - public disclosure of energy production data. ANEDO is a network of 9 community legal centres in each state and territory, specialising in public interest environmental law and policy.

ANEDO does not support the proposal to amend s24(1)(b) to remove the requirement to publicly report on energy production data. We do acknowledge that due to the current formulation of energy production reporting requirements under the Act there is a possibility of double counting (especially where energy is converted from one form to another). However, we submit that this is not sufficient reason to abandon reporting requirements for energy production. Furthermore, we reject the argument made in the discussion paper that energy production data for large power stations is publicly available from NEMMCO on a monthly basis, and therefore does not need to be reported under the *NGER Act*. The form in which this information is made available by NEMMCO is not easily accessible, useful or understandable, so it is not an appropriate substitute.

Energy production data is quite important information that is useful to the community. Indeed, in order to calculate downstream emissions as a result of the operations of a particular company (e.g. coal mine, coal to liquid facility, oil refinery) reporting of energy production at the facility and corporate level is essential. If energy produced is not reported, only the GHG emissions produced as a result of undertaking that activity are reported, so there is no way to compare the relative contribution to climate change (in terms of downstream emissions) of different facilities and companies. Hence, to ensure that public information regarding energy produced is reported in a transparent, accountable and consistent way, s24(1)(b) should be retained. However, the Act should go further to require not only reporting on energy produced, but on energy converted and on net energy produced both on a facility and corporate level. This would not cause an unreasonable burden on business as they should already maintain production figures for the volume or weight of energy converted and calculating this in joules would not be a difficult task.

Yours sincerely

Environmental Defender's Office (NSW) Ltd

Robert Ghanem
A/ Policy Director

