

Our Ref: C2009/1097  
Contact Officer: Sharon Clancy  
Contact Phone: (02) 6243 1217



**Australian  
Competition &  
Consumer  
Commission**

15 June 2009

*This letter, with  
enclosures, was sent  
to the attached list  
of interested parties.  
SC*

GPO Box 3131  
Canberra ACT 2601

23 Marcus Clarke Street  
Canberra ACT 2601

tel: (02) 6243 1111  
fax: (02) 6243 1199

[www.accc.gov.au](http://www.accc.gov.au)

Dear

**Australian Amalgamated Terminals Pty Limited - applications for authorisation  
A91141 & A91142 - interested party consultation**

The Australian Competition and Consumer Commission (the ACCC) has received applications for authorisation from Australian Amalgamated Terminals Pty Limited (AAT). The ACCC invites you to comment on the applications. Attached is a summary of the authorisation process including how to make a submission to the ACCC.

AAT is a joint venture established in 2002 which operates automotive and general cargo terminals at Port Kembla (New South Wales), Fisherman Islands (Queensland), Webb Dock West (Victoria), Outer Harbour (South Australia) and Bell Bay (Tasmania). AAT is seeking authorisation to give effect to the agreements and related arrangements which establish AAT, including the Shareholders' Agreement and the Constitution of AAT.

AAT's operating principles provide for:

- non-discriminatory, open access to all licensed stevedores and other users wanting to do business at an AAT terminal, based on a standard, published license application process and published standard terms and conditions
- published charges, charged equally to all stevedores using and potentially using AAT's facility
- procedures for protecting confidential information of stevedore customers from disclosure to the shareholders or board of AAT, or any third party.

A copy of AAT's applications and supporting submission is enclosed. A copy of the appendices to AAT's supporting submission will be available from the ACCC website [www.accc.gov.au](http://www.accc.gov.au) via the public register link.

**Request for submissions**

The ACCC invites you to make a submission on the likely public benefits and effect on competition, or any other public detriment, from the arrangements.

If you intend to provide a submission in relation to AAT's applications for authorisation, please do so by **8 July 2009**.

Alternatively, if you would like to provide comments orally, please contact Sharon Clancy on (02) 6243 1217 or Monica Bourke on (02) 6243 1351 to organise a suitable time.

Submissions, including oral submissions, will be placed on the ACCC's public register subject to any request for exclusion (guidelines are attached).

You can forward this letter to any other party who may wish to make a submission to the ACCC regarding the applications.

Please advise if you wish to be removed from the ACCC's list of interested parties for this matter.

### **Timetable**

The ACCC will progress its assessment of the application in a timely manner. An indicative timetable is set out below for your information.

<b>10 June 2009</b>	Lodgement of application and supporting submission.
<b>15 June 2009</b>	Public consultation process begins.
<b>8 July 2009</b>	Closing date for submissions from interested parties.
<b>July 2009</b>	Applicant responds to issues raised in the public consultation process.
<b>August / September 2009</b>	Draft determination.
<b>September / October 2009</b>	Public consultation on draft determination including any conference if called.
<b>November / December 2009</b>	Final determination.

This letter has been placed on the ACCC's public register. If you wish to discuss any aspect of this matter, please do not hesitate to contact Sharon Clancy on (02) 6243 1217 or Monica Bourke on (02) 6243 1351.

Yours sincerely

Joanne Palisi  
Director  
Adjudication Branch

**Applications for authorisation A91141 and A91142**  
**Interested parties consulted 15 June 2009**

AAL	Mitsui OSK Lines
ANL	Nationwide Transport & Logistics Pty Ltd
ARC Strang Pty Ltd	Nationwide Transport Solutions
Asiaworld Shipping	Neptune Shipping
Australian Customs and Border Protection Service	Newcastle Stevedores
Australian Maritime Safety Authority	Nissan Motor Co
Australian National Stevedores	NTL
Australian Peak Shippers Association	NYK Line
Australian Quarantine Inspection Service	P&O Automotive & General Stevedoring
AutoNexus	P&O Wharf Management Pty Limited
BKC Distribution and Haulage	Pacific Asia Express
BlueScope Steel Ltd	Pacific Forum Line
Boat Transport	Patrick Autocare
Brailey's Transport	Patrick Port Services
Bureau of Infrastructure, Transport and Regional Economics	Patrick Stevedoring
Capital P&O Stevedores	Plzen Pty Limited
Century Customs Services Pty Ltd	Port Kembla Gateway Pty Ltd
Ceva Logistics	Port Kembla Port Corp
CEVA Logistics	Port of Brisbane Corp
Chalmers	Port of Melbourne
Complete Global	Ports Australia
Cridland Katte	POST
Darryl Dickenson Transport	Prix Car
Darwin Port Corp	Prixcar
Dept Infrastructure Transport & Regional Development	Puegeot
FCAI	Russells Transport
Flinders Ports	Seaway
Ford	Sherbourne International Freight
Freightplus	Shipping Australia
Gearbulk Australasia	Skelton
George Turner Customs	Sofrana
Hetherington Kingsbury	Subaru
Hogan's Heavy Haulage	Swire Shipping
Holden Ltd	Sydney Ports
Honda	T J Clark and Sons
Hunt Specialised Transport	Tasmanian Ports
Interport	Toll Logistics
K Line	Toll Transport
Kuehne- Nagel	Toyofuji Shipping
Maritime Union of Australia	Toyota
Megalift Pty Ltd	Wallenius Wilhelmsen
Milne Dunkley	Wymess Transport
Mitsubishi Motors Australia	