

24 June 2009

Your Ref: C2009/1097

**Attention: Ms Sharon Clancy**

Director, Adjudication Branch  
Australian Competition and Consumer Commission  
GPO Box 3131  
CANBERRA ACT 2601

Dear Ms Clancy

**Australian Amalgamated Terminals Pty Ltd – Application for  
Authorisation A91141 & A91142 – Interested Party Consultation**

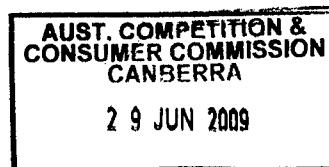
Thank you for giving the Port Kembla Port Corporation (PKPC) the opportunity to respond to the Application for Authorisation by Australian Amalgamated Terminals Pty Ltd (AAT) under subsection 88(1) of the *Trade Practices Act 1974*.

PKPC has a Management Deed with AAT for the leasing of land to provide terminal facilities and related services to stevedores and other terminal users on an 'open access' basis in the Port Kembla Port.

The berths where such arrangements exist are Berths 103, 105, 106 and 107.

The contractual relationship between AAT and PKPC is designed to facilitate trade and the loading and unloading of cargo at these berths, whether it be general cargo, automotive or containers. The agreement between the two organisations requires that all users of these berths and facilities are treated on an equal and fair basis and that if a dispute arises, whether it relates to access or unfair pricing, that an independent person can be engaged to investigate any irregularities which may be brought to the Corporation's attention.

The proposed Authorisation gives further support to these requirements and as such is endorsed by the Port Kembla Port Corporation.

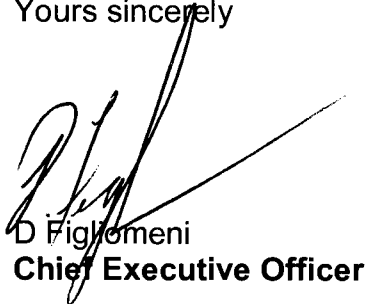


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PKPC is of the view that the arrangements in place in the Port of Port Kembla provide for the most competitive and efficient outcome for port users, given the total investment required. These arrangements, in our view, lead to operational efficiencies and effectiveness by reducing the need for resource duplication.

Please contact me at your convenience if you wish to discuss the PKPC response.

Yours sincerely



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**Chief Executive Officer**