

**AUSTRALIAN AMALGAMATED TERMINALS PTY LTD (AAT)**

**COMPLIANCE REPORT**

**DATE OF REPORT: 7 APRIL 2017**

**REPORT PERIOD: 24 NOVEMBER 2016 TO 31 DECEMBER 2016**

This Compliance Report has been prepared by AAT in accordance with clause 8 of the Undertaking to the Australian Competition and Consumer Commission (**ACCC**) given by AAT and Qube Holdings Limited (**Qube**) on 17 November 2016 and accepted by the ACCC on 23 November 2016 (**Undertaking**). In this Compliance Report:

- Report Period means the period from 24 November 2016 to 31 December 2016; and
- unless the context otherwise requires, words and expressions have the same meaning as is ascribed to them by the Undertaking.
- NA - means no relevant services were provided by AAT

**PART A: AAT'S PERFORMANCE AGAINST EACH KPI FOR EACH TERMINAL**

<b>Terminal</b>					
<b>KPI</b>	<b>Kembla Terminal</b>	<b>Brisbane Terminal</b>	<b>Melbourne Terminal Webb Dock West</b>	<b>Melbourne Terminal Appleton Dock</b>	<b>Adelaide Terminal</b>
1. Truck turnaround time	<p>During the Report Period, the average time spent at the Terminal picking up or delivering cargo, measured from the time the truck entered the terminal gate to the time when the truck departed the Terminal through the terminal gate was, for:</p> <p>(a) Automobiles; 42 minutes for services provided by AAT to Qube or a Qube Related Entity and 46 minutes for services provided to all other Terminal Users;</p> <p>(b) Break bulk cargo (including high and heavy cargo); 49 minutes for services provided by AAT to</p>	<p>During the Report Period, the average time spent at the Terminal picking up or delivering cargo, measured from the time the truck entered the terminal gate to the time when the truck departed the Terminal through the terminal gate was, for:</p> <p>(a) Automobiles; 50 minutes for services provided by AAT to Qube or a Qube Related Entity and 52 minutes for services provided to all other Terminal Users;</p> <p>(b) Break bulk cargo (including high and heavy cargo); 1 hour and 3 minutes seconds for services</p>	<p>During the Report Period, the average time spent at the Terminal picking up or delivering cargo, measured from the time the truck entered the terminal gate to the time when the truck departed the Terminal through the terminal gate was, for:</p> <p>(a) Automobiles; # hours and # minutes for services provided by AAT to Qube or a Qube Related Entity and # hours and # minutes for services provided to all other Terminal Users;</p> <p>(b) Break bulk cargo (including high and heavy cargo); # hours and # minutes for services provided by</p>	<p>During the Report Period, the average time spent at the Terminal picking up or delivering cargo, measured from the time the truck entered the terminal gate to the time when the truck departed the Terminal through the terminal gate was, for:</p> <p>(a) Automobiles; 33 minutes for services provided by AAT to Qube or a Qube Related Entity and 34 minutes for services provided to all other Terminal Users;</p> <p>(b) Break bulk cargo (including high and heavy cargo); 1 hour and 1 minute for services provided by</p>	<p>During the Report Period, the average time spent at the Terminal picking up or delivering cargo, measured from the time the truck entered the terminal gate to the time when the truck departed the Terminal through the terminal gate was, for:</p> <p>(a) Automobiles; # hours and # minutes for services provided by AAT to Qube or a Qube Related Entity and # hours and # minutes for services provided to all other Terminal Users;</p> <p>(b) Break bulk cargo (including high and heavy cargo); # hours and #</p>

	Qube or a Qube Related Entity and 60 minutes seconds for services provided to all other Terminal Users.	provided by AAT to Qube or a Qube Related Entity and 1 hour and 7 minutes for services provided to all other Terminal Users.	by AAT to Qube or a Qube Related Entity and # hours and # minutes for services provided to all other Terminal Users.  <b>No data available due to BAT system not being used at Terminal.</b>	AAT to Qube or a Qube Related Entity and 49 minutes for services provided to all other Terminal Users.	minutes for services provided by AAT to Qube or a Qube Related Entity and # hours and # minutes for services provided to all other Terminal Users.  <b>No data available due to BAT system not being used at Terminal.</b>
2. Yard dwell time, imports	<p>During the Report Period, the average time cargo units stayed at the designated cargo pick up area of the Terminal measured from announced time for pick-up to actual pick-up was:</p> <p>(a) Automobiles; 124 hours and 6 minutes for services provided by AAT to Qube or a Qube Related Entity and 112 hours and 12 minutes for services provided to all other Terminal Users;</p> <p>(b) Break bulk cargo (including high and heavy cargo); 48 hours and 29 minutes for services provided by AAT to Qube or a Qube Related Entity and 31 hours and 54 minutes for services provided to all other Terminal Users.</p>	<p>During the Report Period, the average time cargo units stayed at the designated cargo pick up area of the Terminal measured from announced time for pick-up to actual pick-up was:</p> <p>(a) Automobiles; 12 hours and 49 minutes for services provided by AAT to Qube or a Qube Related Entity and 23 hours and 13 minutes for services provided to all other Terminal Users;</p> <p>(b) Break bulk cargo (including high and heavy cargo); 43 hours and 23 minutes for services provided by AAT to Qube or a Qube Related Entity and 38 hours and 52 minutes for services provided to all other Terminal Users.</p>	<p>During the Report Period, the average time cargo units stayed at the designated cargo pick up area of the Terminal measured from announced time for pick-up to actual pick-up was:</p> <p>(a) Automobiles; 58 hours and 25 minutes for services provided by AAT to Qube or a Qube Related Entity and 97 hours and 8 minutes for services provided to all other Terminal Users;</p> <p>(b) Break bulk cargo (including high and heavy cargo); 58 hours and 47 minutes for services provided by AAT to Qube or a Qube Related Entity and 116 hours and 23 minutes for services provided to all other Terminal Users.</p>	<p>During the Report Period, the average time cargo units stayed at the designated cargo pick up area of the Terminal measured from announced time for pick-up to actual pick-up was:</p> <p>(a) Automobiles; NA services provided by AAT to Qube or a Qube Related Entity and 52 hours and 55 minutes for services provided to all other Terminal Users;</p> <p>(b) Break bulk cargo (including high and heavy cargo); 110 hours and 26 minutes for services provided by AAT to Qube or a Qube Related Entity and 116 hours and 23 minutes for services provided to all other Terminal Users.</p>	<p>During the Report Period, the average time cargo units stayed at the designated cargo pick up area of the Terminal measured from announced time for pick-up to actual pick-up was:</p> <p>(a) Automobiles; 94 hours and 23 minutes for services provided by AAT to Qube or a Qube Related Entity and 52 hours and 39 minutes for services provided to all other Terminal Users;</p> <p>(b) Break bulk cargo (including high and heavy cargo); NA services provided by AAT to Qube or a Qube Related Entity and NA services provided to all other Terminal Users.</p>
3. Yard dwell time, exports	<p>During the Report Period, the average time cargo units stayed at the designated cargo pick up area of the Terminal measured from actual time of delivery to announced cut-off time was:</p> <p>(a) Automobiles; 131 hours and 16</p>	<p>During the Report Period, the average time cargo units stayed at the designated cargo pick up area of the Terminal measured from actual time of delivery to announced cut-off time was:</p> <p>(a) Automobiles; 108 hours and 58</p>	<p>During the Report Period, the average time cargo units stayed at the designated cargo pick up area of the Terminal measured from actual time of delivery to announced cut-off time was:</p> <p>(a) Automobiles; 78 hours and 1 minute</p>	<p>During the Report Period, the average time cargo units stayed at the designated cargo pick up area of the Terminal measured from actual time of delivery to announced cut-off time was:</p> <p>(a) Automobiles; NA</p>	<p>During the Report Period, the average time cargo units stayed at the designated cargo pick up area of the Terminal measured from actual time of delivery to announced cut-off time was:</p> <p>(a) Automobiles; 379 hours and 38</p>



	<ul style="list-style-type: none"> <li>Zero incidents for services provided to all other Terminal Users.</li> </ul>	<ul style="list-style-type: none"> <li>Zero incidents for services provided to all other Terminal Users.</li> </ul>	<ul style="list-style-type: none"> <li>Zero incidents for services provided to all other Terminal Users.</li> </ul>	<ul style="list-style-type: none"> <li>Zero incidents for services provided to all other Terminal Users.</li> </ul>	
6. Allocation of first point of rest area	<p>Data showing for each cargo shipment during the Relevant Period:</p> <p>(a) berth allocated to vessel; and</p> <p>(b) allocated storage area in the Terminal Layout Plan for the cargo's first point of rest,</p> <p>is set out in <b>Attachment A</b> to this Compliance Report.</p>	<p>Data showing for each cargo shipment during the Relevant Period:</p> <p>(a) berth allocated to vessel; and</p> <p>(b) allocated storage area in the Terminal Layout Plan for the cargo's first point of rest,</p> <p>is set out in <b>Attachment A</b> to this Compliance Report.</p>	<p>Data showing for each cargo shipment during the Relevant Period:</p> <p>(a) berth allocated to vessel; and</p> <p>(b) allocated storage area in the Terminal Layout Plan for the cargo's first point of rest,</p> <p>is set out in <b>Attachment A</b> to this Compliance Report.</p>	<p>Data showing for each cargo shipment during the Relevant Period:</p> <p>(a) berth allocated to vessel; and</p> <p>(b) allocated storage area in the Terminal Layout Plan for the cargo's first point of rest,</p> <p>is set out in <b>Attachment A</b> to this Compliance Report.</p>	<p>Data showing for each cargo shipment during the Relevant Period:</p> <p>(a) berth allocated to vessel; and</p> <p>(b) allocated storage area in the Terminal Layout Plan for the cargo's first point of rest,</p> <p><b>No Data available due to AAT not being responsible for the allocated storage areas at Adelaide Terminal.</b></p>
7. Equipment availability	<p>During the Relevant Period, the number of deviations between AAT equipment requested by stevedore or shipping line and actual machinery provided (including standard of equipment, age, type and capacity) to stevedore or shipping line was:</p> <ul style="list-style-type: none"> <li>Zero for services provided by AAT to Qube or a Qube Related Entity; and</li> <li>Zero for services provided to all other Terminal Users.</li> </ul>	<p>During the Relevant Period, the number of deviations between AAT equipment requested by stevedore or shipping line and actual machinery provided (including standard of equipment, age, type and capacity) to stevedore or shipping line was:</p> <ul style="list-style-type: none"> <li>Zero for services provided by AAT to Qube or a Qube Related Entity; and</li> <li>Zero for services provided to all other Terminal Users.</li> </ul>	<p>During the Relevant Period, the number of deviations between AAT equipment requested by stevedore or shipping line and actual machinery provided (including standard of equipment, age, type and capacity) to stevedore or shipping line was:</p> <ul style="list-style-type: none"> <li>Zero for services provided by AAT to Qube or a Qube Related Entity; and</li> <li>Zero for services provided to all other Terminal Users.</li> </ul>	<p>During the Relevant Period, the number of deviations between AAT equipment requested by stevedore or shipping line and actual machinery provided (including standard of equipment, age, type and capacity) to stevedore or shipping line was:</p> <ul style="list-style-type: none"> <li>Zero for services provided by AAT to Qube or a Qube Related Entity; and</li> <li>Zero for services provided to all other Terminal Users.</li> </ul>	<p>During the Relevant Period, the number of deviations between AAT equipment requested by stevedore or shipping line and actual machinery provided (including standard of equipment, age, type and capacity) to stevedore or shipping line was:</p> <ul style="list-style-type: none"> <li>Zero for services provided by AAT to Qube or a Qube Related Entity; and</li> <li>Zero for services provided to all other Terminal Users.</li> </ul>
8. Mechanical support	<p>During the Relevant Period, the average time lost in excess of one hour due to failure of AAT in providing mechanical breakdown support, reported from the time Mechanical Engineer officially notified to issue resolved (in total hours) was:</p>	<p>During the Relevant Period, the average time lost in excess of one hour due to failure of AAT in providing mechanical breakdown support, reported from the time Mechanical Engineer officially notified to issue resolved (in total hours) was:</p>	<p>During the Relevant Period, the average time lost in excess of one hour due to failure of AAT in providing mechanical breakdown support, reported from the time Mechanical Engineer officially notified to issue resolved (in total hours) was:</p>	<p>During the Relevant Period, the average time lost in excess of one hour due to failure of AAT in providing mechanical breakdown support, reported from the time Mechanical Engineer officially notified to issue resolved (in total hours) was:</p>	<p>During the Relevant Period, the average time lost in excess of one hour due to failure of AAT in providing mechanical breakdown support, reported from the time Mechanical Engineer officially notified to issue resolved (in total hours) was:</p>

	<ul style="list-style-type: none"> <li>Zero hours for services provided by AAT to Qube or a Qube Related Entity; and</li> <li>Zero hours for services provided to all other Terminal Users.</li> </ul>	<ul style="list-style-type: none"> <li>Zero hours for services provided by AAT to Qube or a Qube Related Entity; and</li> <li>Zero hours for services provided to all other Terminal Users.</li> </ul>	<ul style="list-style-type: none"> <li>Zero hours for services provided by AAT to Qube or a Qube Related Entity; and</li> <li>Zero hours for services provided to all other Terminal Users.</li> </ul>	<ul style="list-style-type: none"> <li>Zero hours for services provided by AAT to Qube or a Qube Related Entity; and</li> <li>Zero hours for services provided to all other Terminal Users.</li> </ul>	<ul style="list-style-type: none"> <li>Zero hours for services provided by AAT to Qube or a Qube Related Entity; and</li> <li>Zero hours for services provided to all other Terminal Users.</li> </ul>
9. Cargo dwell time over free time / long terms storage	<p>Data for the Relevant Period on Qube or a Qube Related Entity:</p> <p>(a) 14,433 - total cargo units;</p> <p>(b) 1,503 - number of cargo units which stayed over free time;</p> <p>(c) 3 - number of cargo units which stayed over free time due to Customs, DAFF or customer hold;</p> <p>(d) 10.39% - number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a percentage of total units,</p> <p>Data for the Relevant Period on all other Terminal Users:</p> <p>(e) 8,191 - total cargo units;</p> <p>(f) 1,354 - number of cargo units which stayed over free time;</p> <p>(g) 1 - number of cargo units which stayed over free time due to Customs, DAFF or customer hold;</p>	<p>Data for the Relevant Period on Qube or a Qube Related Entity:</p> <p>(a) 19,536 - total cargo units;</p> <p>(b) 3791 - number of cargo units which stayed over free time;</p> <p>(c) 112 - number of cargo units which stayed over free time due to Customs, DAFF or customer hold;</p> <p>(d) 18.83% - number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a percentage of total units,</p> <p>Data for the Relevant Period on all other Terminal Users:</p> <p>(e) 8800 - total cargo units;</p> <p>(f) 1463 - number of cargo units which stayed over free time;</p> <p>(g) 2 - number of cargo units which stayed over free time due to Customs, DAFF or customer hold;</p>	<p>Data for the Relevant Period on Qube or a Qube Related Entity:</p> <p>(a) 14,730 - total cargo units;</p> <p>(b) 227 - number of cargo units which stayed over free time;</p> <p>(c) 1 - number of cargo units which stayed over free time due to Customs, DAFF or customer hold;</p> <p>(d) 1.53% - number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a percentage of total units,</p> <p>Data for the Relevant Period on all other Terminal Users:</p> <p>(e) 11,113 - total cargo units;</p> <p>(f) 181 - number of cargo units which stayed over free time;</p> <p>(g) 0 - number of cargo units which stayed over free time due to Customs, DAFF or customer hold;</p>	<p>Data for the Relevant Period on Qube or a Qube Related Entity:</p> <p>(a) 3,753 - total cargo units;</p> <p>(b) 1,551 - number of cargo units which stayed over free time;</p> <p>(c) 0 - number of cargo units which stayed over free time due to Customs, DAFF or customer hold;</p> <p>(d) 41.33% - number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a percentage of total units,</p> <p>Data for the Relevant Period on all other Terminal Users:</p> <p>(e) 4,283 - total cargo units;</p> <p>(f) 638 - number of cargo units which stayed over free time;</p> <p>(g) 424 - number of cargo units which stayed over free time due to Customs, DAFF or customer hold;</p> <p>(h) number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a</p>	<p>Data for the Relevant Period on Qube or a Qube Related Entity:</p> <p>(a) total cargo units;</p> <p>(b) number of cargo units which stayed over free time;</p> <p>(c) number of cargo units which stayed over free time due to Customs, DAFF or customer hold;</p> <p>(d) number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a percentage of total units,</p> <p>Data for the Relevant Period on all other Terminal Users:</p> <p>(e) total cargo units;</p> <p>(f) number of cargo units which stayed over free time;</p> <p>(g) number of cargo units which stayed over free time due to Customs, DAFF or customer hold;</p> <p>(h) number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a</p>

	(h) 16.52% - number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a percentage of total units,	(h) 16.60% - number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a percentage of total units,	(h) 1.63% - number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a percentage of total units,	(h) 4.95% - number of cargo units which stayed over free time (excluding Customs, DAFF or customer hold) as a percentage of total units,	percentage of total units,  <b>No Data available due to AAT not being responsible for the control of storage areas at Adelaide Terminal.</b>
10. Confidentiality and Ring Fencing	During the Relevant Period:  (a) the number of complaints received by AAT concerning non-compliance with clause 6 of the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users;</li></ul> (b) the number of instances of breaches of clause 6 of the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users.</li></ul>	During the Relevant Period:  (a) the number of complaints received by AAT concerning non-compliance with clause 6 of the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users;</li></ul> (b) the number of instances of breaches of clause 6 of the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users.</li></ul>	During the Relevant Period:  (a) the number of complaints received by AAT concerning non-compliance with clause 6 of the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users;</li></ul> (b) the number of instances of breaches of clause 6 of the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users.</li></ul>	During the Relevant Period:  (a) the number of complaints received by AAT concerning non-compliance with clause 6 of the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users;</li></ul> (b) the number of instances of breaches of clause 6 of the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users.</li></ul>	During the Relevant Period:  (a) the number of complaints received by AAT concerning non-compliance with clause 6 of the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users;</li></ul> (b) the number of instances of breaches of clause 6 of the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users.</li></ul>
11. Complaints	During the Relevant Period, the number of complaints raised under the Price Dispute Resolution Process and Non-Price Dispute	During the Relevant Period, the number of complaints raised under the Price Dispute Resolution Process and Non-Price Dispute	During the Relevant Period, the number of complaints raised under the Price Dispute Resolution Process and Non-Price Dispute	During the Relevant Period, the number of complaints raised under the Price Dispute Resolution Process and Non-Price Dispute	During the Relevant Period, the number of complaints raised under the Price Dispute Resolution Process and Non-Price Dispute

	Resolution Process under the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users;</li></ul>	Resolution Process under the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users;</li></ul>	Resolution Process under the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users;</li></ul>	Resolution Process under the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users;</li></ul>	Resolution Process under the Undertaking was: <ul style="list-style-type: none"><li>• Zero for services provided by AAT to Qube or a Qube Related Entity; and</li><li>• Zero for services provided by AAT to all other Terminal Users;</li></ul>
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#### **PART B: TERMINAL LAYOUT PLAN FOR EACH TERMINAL**

A copy of the Terminal Layout Plan for each Terminal is attached to this Compliance Report.

#### **PART C: TERMINAL USERS IN WHICH QUBE OR A QUBE RELATED ENTITY HAS AN INTEREST**

Qube or a Qube Related Entity has a direct or indirect interest greater than or equal to 20% in the following Terminal Users who provided Stevedoring Services or PDI Operator Services at the following Terminals during the period covered by this Compliance Report:

##### **Kembla Terminal**

Qube Ports Pty Ltd ACN 123 021 492

Prixcar Services Pty Ltd ACN 007 063 505

##### **Brisbane Terminal**

Qube Ports Pty Ltd ACN 123 021 492

Prixcar Services Pty Ltd ACN 007 063 505

##### **Melbourne Terminal - Webb Dock West**

Qube Ports Pty Ltd ACN 123 021 492

Prixcar Services Pty Ltd ACN 007 063 505

##### **Melbourne Terminal - Appleton Dock**

Qube Ports Pty Ltd ACN 123 021 492

Prixcar Services Pty Ltd ACN 007 063 505

##### **Adelaide Terminal**

Qube Ports Pty Ltd ACN 123 021 492

Prixcar Services Pty Ltd ACN 007 063 505

#### **ATTACHMENT A: DATA FOR KPI 6**

