

Further supplementary statement in response to request for declaration

North Queensland Export Terminal (NQXT)

Declaration request from QCoal Pty Ltd and Byerwen Coal Pty Ltd (QCoal Users)

Statement of: Mark Bradley Smith
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Occupation: General Manager, North Queensland Export Terminal Pty Ltd
Date: 21 July 2026

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A. Introduction

I, Mark Bradley Smith, General Manager, North Queensland Export Terminal Pty Ltd of Level 9, 120 Edward Street, Brisbane, QLD, 4000, say that:

- 1 I am the General Manager of North Queensland Export Terminal Pty Ltd (**NQXT**), and I am authorised to make this statement on NQXT's behalf. NQXT is the sub-lessee of the North Queensland Export Terminal at the Port of Abbot Point in Queensland (**Terminal**).
- 2 I have prepared this statement on behalf of NQXT in response to the submission made by QCoal Pty Ltd and Byerwen Coal Pty Ltd (together referred to as **QCoal Users**) to the Queensland Competition Authority (**QCA**) dated 12 June 2026, in response to the QCA's draft recommendation that the coal handling service provided by the Terminal not be declared for the purposes of third party access under Part 5 of the Queensland Competition Authority Act 1997 (**QCA Act**) (**QCoal Users' 12 June Submission**).
- 3 This is the third statement I have made to the QCA in connection with its review of the request by the QCoal Users that the QCA recommend declaration of the coal handling service at the Terminal.
- 4 My first statement is dated 22 August 2025 (**First Statement**). My second statement is dated 12 June 2026 (**Second Statement**). Unless otherwise specified, capitalised terms have the same meaning as in my First and Second Statements.
- 5 The matters set out in this statement are based on my own knowledge of NQXT's operations, information available to me from NQXT's books and records and my experience in the coal industry over the past 20 years.
- 6 Where I refer to documents in this statement, I identify those documents by their annexure number.
- 7 Where I state that information has been provided to me for the purpose of this statement, I believe that information to be true after due enquiry.

B. Further update on negotiations with users since Second Statement

- 8 Section B of my Second Statement details the updates to the various renewal negotiations that have occurred between NQXT and [REDACTED]. In the following section, I provide a brief update on some of these negotiations.

B.1 [REDACTED]

9 In Section B.1(a) of my Second Statement, I discuss the updates that relate to NQXT's ongoing negotiations with [REDACTED] As at the date of my Second Statement, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

10 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

(a) [REDACTED]
[REDACTED];

(b) [REDACTED]

(c) [REDACTED]
[REDACTED]
[REDACTED].

11 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

12 [REDACTED]
[REDACTED]

B.2 [REDACTED]

13 In Section B.1(b) of my Second Statement, I discuss updates relating to [REDACTED]
[REDACTED]
[REDACTED].

14 As I set out in paragraph 22 of my Second Statement, on 29 April 2026, [REDACTED]
[REDACTED]
[REDACTED]

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B.3

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As I explain in my First Statement,

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18

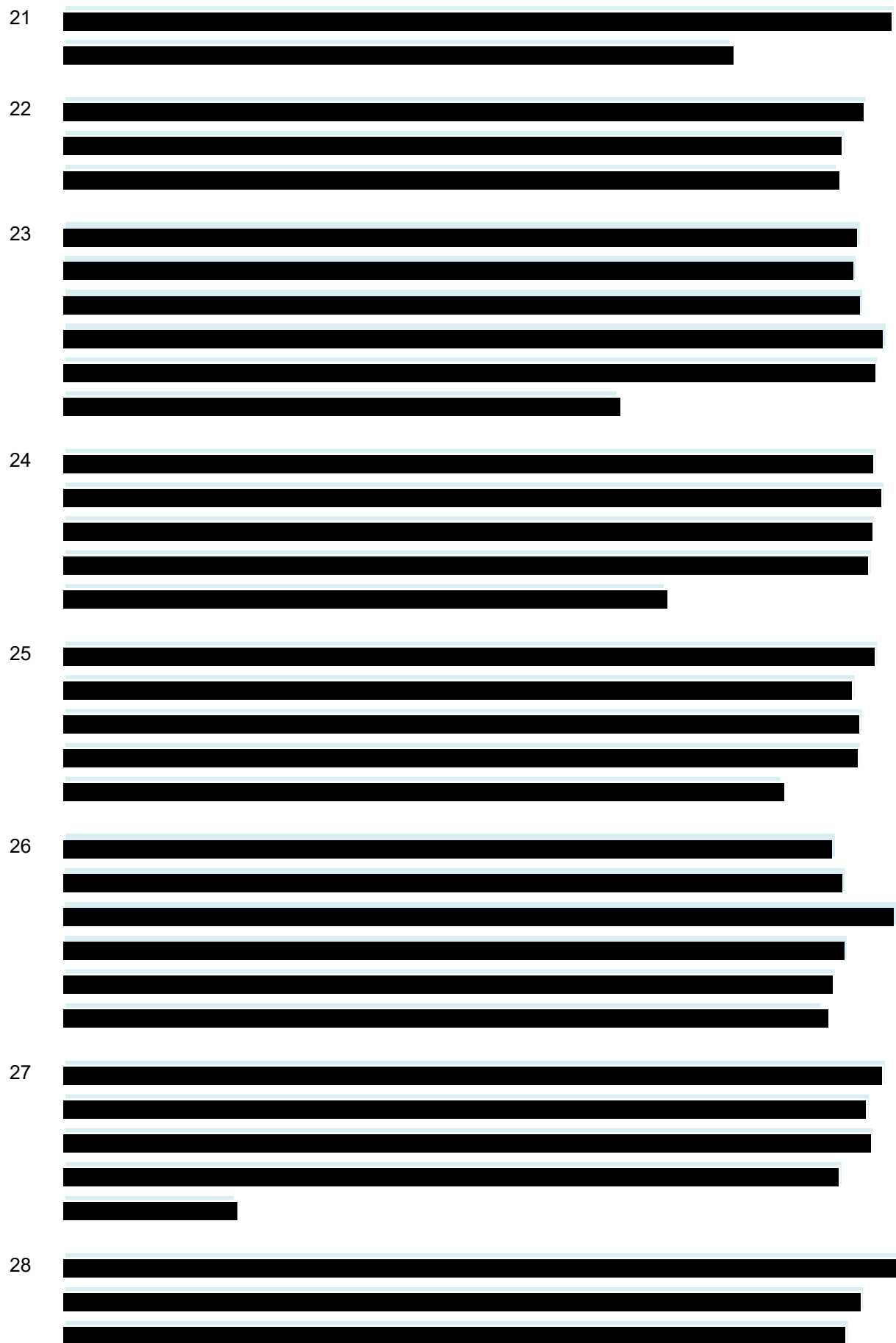
C. NQXT's history of negotiations with [REDACTED] and [REDACTED]

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In preparing this statement, I have reviewed a redacted version of the QCoal Users' 12 June Submission and a redacted version of the report of Greg Houston dated 12 June 2026 (**Houston June 2026 Report**). In the following section, I respond to a number of matters raised by the QCoal Users and Mr Houston in respect of NQXT's negotiations and engagement with

C.1

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[Redacted text block]

(a) [Redacted text block];

(b) [Redacted text block]

(c) [Redacted text block].

30

[Redacted text block]

31

[Redacted text block]

32

[Redacted text block]

33

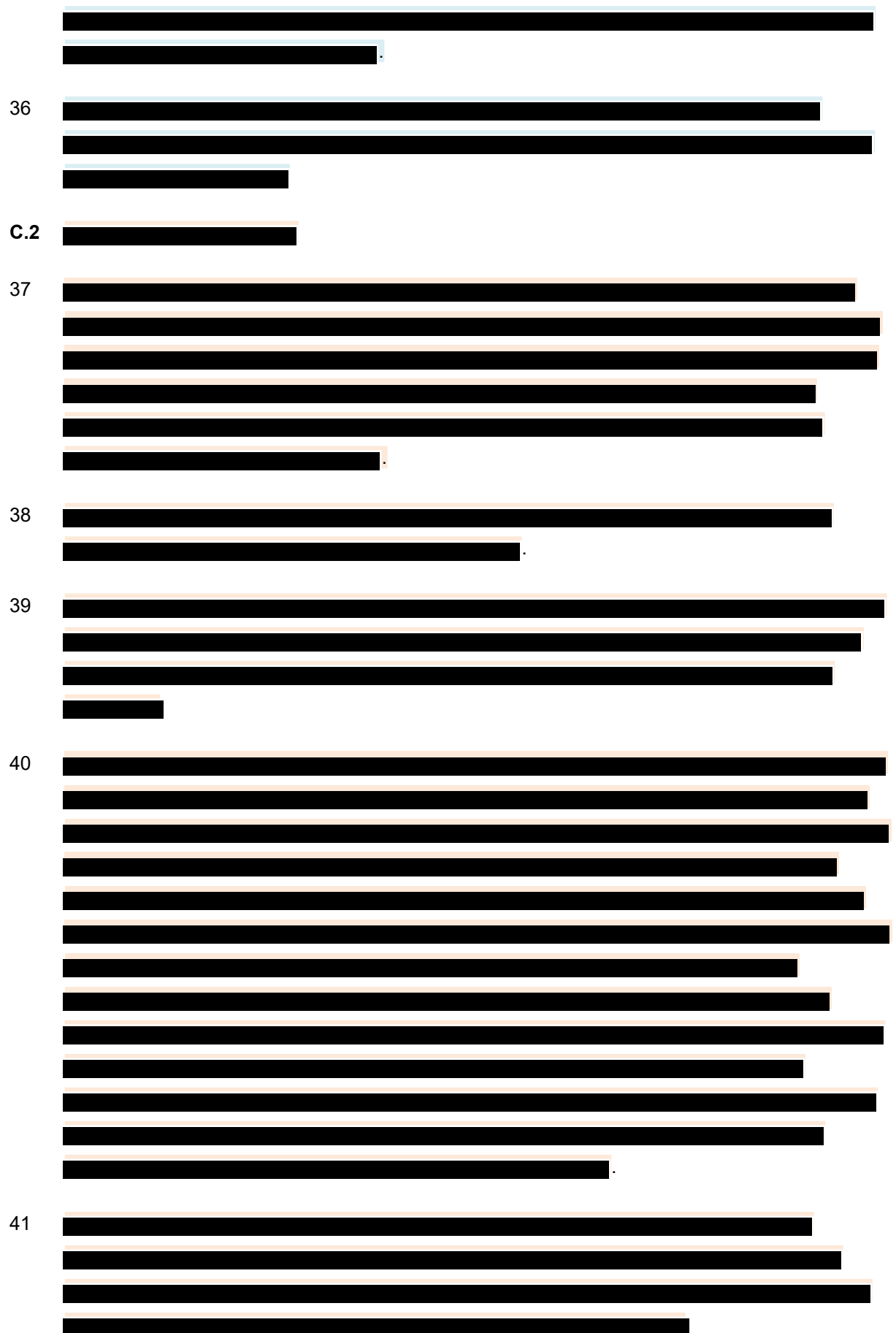
[Redacted text block]

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[Redacted text block]

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[Redacted text block]



42 [REDACTED]

43 [REDACTED]

D. Capacity constraints on the Newlands and GAPE rail systems

44 In section C of my Second Statement, I discuss capacity constraints on the Newlands and GAPE rail systems, and refer to the 2026 ACAR, which identifies that there is a current existing capacity deficit (**ECD**) of at least 8.7 mtpa and an ECD is expected to remain on the Newlands and GAPE systems until at least FY2031.

45 [REDACTED]

46 [REDACTED]

47 [REDACTED]

(a) [REDACTED]

(b) [REDACTED]
[REDACTED]
[REDACTED]

(c) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

48 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

49 [REDACTED]
[REDACTED] :

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED].

50 [REDACTED]
[REDACTED]
[REDACTED] :

[REDACTED]
[REDACTED]
[REDACTED].

51 [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

52

[REDACTED]

53

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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In my view, the observations and recommendations [REDACTED] are consistent with my understanding of the CQCN, based on my experience in the Queensland coal industry, including my experience at both NQXT and DBCT. In particular, they are consistent with my understanding and experience that the CQCN operates as an interconnected network, and that capacity and access outcomes for individual mines, terminals and users cannot be assessed by reference to port capacity alone. They must also be assessed by reference to the capacity, contractual position and operational constraints of the rail infrastructure that services the relevant terminal and mine.

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That is significant for NQXT because the Terminal may have latent capacity at a particular point in time, but that does not mean that coal from a particular mine can practically or efficiently be

delivered to the Terminal in the same volume or over the same period. In my experience, whether a user can make effective use of terminal capacity depends on the availability of corresponding below-rail access, above-rail haulage and other supply chain arrangements.

E. X60 Expansion

56 In paragraph 205 of my First Statement, I discuss NQXT's prospective X60 Expansion. As I explain in my First Statement, the X60 Expansion refers to a potential expansion of the Terminal's capacity to approximately 60 mtpa. NQXT has previously investigated the feasibility of that expansion, including the works that would be required to increase the Terminal's capacity from its current capacity to approximately just above 60 mtpa.

57 Although I was not within the business at the time, I understand from my knowledge of NQXT's business and operations that in 2018, NQXT

[REDACTED]

Signature



Date

21 July 2026

Mark Bradley Smith, General Manager

CONFIDENTIAL ANNEXURE MBS-30

CONFIDENTIAL ANNEXURE MBS-31

CONFIDENTIAL ANNEXURE MBS-32

CONFIDENTIAL ANNEXURE MBS-33

CONFIDENTIAL ANNEXURE MBS-34

CONFIDENTIAL ANNEXURE MBS-35

CONFIDENTIAL ANNEXURE MBS-36

CONFIDENTIAL ANNEXURE MBS-37

CONFIDENTIAL ANNEXURE MBS-38