# Statement in response to declaration request

**North Queensland Export Terminal (NQXT)**

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

Statement of: Damien Dederer

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Occupation: General Manager, Abbot Point Operations

Date: 25 August 2025

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## A. INTRODUCTION

I, Damien Dederer, General Manager, Abbot Point Operations (**APO** or **Operator**) at Abbott Point Road, Bowen in the State of Queensland (**Queensland**), say that:

1 I am the General Manager (**GM**) of APO, and I am authorised to make this statement on APO's behalf.

2 Where I refer to documents in this statement, I identify those documents by their annexure number.

3 The matters set out in this statement are based on my knowledge of APO's operations, my participation in the User Committee (explained in further detail below) at the Terminal, and my experience in the coal industry (including power generation, mining, rail, and port operations across Queensland) for over 18 years, which I set out in **Part B** below. As GM of APO, it is my responsibility to manage and understand all aspects of the operation of the Terminal. I am also closely involved in the day-to-day operations the Terminal and in preparing APO's annual budgets, the Terminal Regulations and other matters concerning the operation of the business. The APO employees who report to me (directly or indirectly) also raise with me any issues and developments that are material to the operation of the Terminal, and I regularly communicate with them regarding such matters.

## B. EXPERIENCE AND EMPLOYMENT HISTORY

4 I have been employed by APO since December 2018 when I was appointed Finance Manager.

5 I was appointed GM in October 2024 following five years as a senior member of the APO leadership team under the former GM.

6 Over the past 18 years I have had extensive experience within large industrial sites and specifically the coal supply chain industries. Prior to my commencement with APO, I held positions with mining and rail operators, including:

a) Golding as the Commercial Manager – Baralaba Coal;

b) Gladstone Port Corporation as the Finance Manager (including Acting CFO for 12 months);

c) Glencore as the Commercial Manager – Rolleston Coal; and

d) Aurizon as the Finance Manager – Coal South.

## C. OVERVIEW OF APO

### C.1. Role of APO

7 APO is responsible for the operation and maintenance of the Terminal under an Operations and Maintenance Agreement (**OMC**) which was entered into in [redacted] with NQXT (formerly known as Adani Abbot Point Terminal). A copy of the current OMC and a variation (dated [redacted]) is contained at **Annexure DD-1** to this statement.

8 Prior to commencement of the OMC, the operation of the Terminal was undertaken by Abbot Point Bulkcoal Pty Limited (**APB**) which was a subsidiary of the Glencore group of companies. Glencore was responsible for operation of the Terminal and was (and continues to be) a user of the facility. When NQXT acquired the Terminal in 2011, APB continued as operator until APO commenced operations in 2016.

9 In 2016, Glencore sold its shares in APB to APO, both of which are now members of the Adani Group. [redacted]. A copy of the current [redacted] is contained at **Annexure DD-2** to this statement.

10 While APO is a company within the Adani Group, [redacted] (as I set out below at section C.6).

11 I understand that the ownership and operation of the Terminal has always been split in this way, first with the Queensland Government's ownership under the Ports Corporation Queensland (**PCQ**) when the Terminal was operated by Glencore, and now under NQXT's ownership with APO as the Operator.

12 Under the OMC, [redacted]. This means [redacted].

## C.2 Structure of APO

13 As GM I am responsible for the management of APO and lead a staff of approximately 200 employees who live in the Whitsundays region. APO also engages a supporting workforce of up to approximately 200 contractors to maintain and operate the Terminal.

14 In my role as GM, I am supported by a management team which is comprised of:

a) **Operations Manager** who oversees operations at the Terminal with two direct reports, being the Logistics Superintendent and Production Superintendent;

b) **Business Support Manager** who provides support to the business on various matters;

c) **Asset Management Manager** who oversees the maintenance of the Terminal with three direct reports, including a Maintenance Superintendent, a Painting

and Ancillary Services Superintendent, and a Planning and Engineering Superintendent;

d) **Capital Program Manager** who is responsible for the management and administration of the Terminal's capital works programs;

e) **HSEC Manager** who is responsible for healthy working conditions, environmental protection, and community relations;

f) **Commercial Manager** who is responsible for APO's commercial contracts with third parties, IT systems, warehousing and inventory management;

g) **Finance Manager** who is responsible for the management of APO's finances and payroll; and

h) **HR Manager** who is responsible for the overall management of APO's employee related systems including training.

15 A copy of APO's current Organisational Structure is included at page 40 of **Annexure DD-3**.

### C.3 APO's operation of the Terminal

16 Under the OMC, APO is required to operate the Terminal, which encompasses all aspects of the Terminal's operations from train scheduling, through to the loading of ships. This includes working with our customers to ensure optimum delivery of their coal to the Terminal via the Central Queensland Coal Network (**CQCN**) (which is the below-rail infrastructure operated by Aurizon Network), train unloading, coal handling and stockpiling, stacker and reclaimer operations, coal treatment, and ship loading. Each of these activities is required to be undertaken in accordance with the Terminal Regulations (refer to section C.4 below of this statement).

17 In performing the services at the Terminal, APO is required to ensure that the Terminal is at all times maintained and operated to achieve optimum reliability and efficiency. This includes achieving the best and most-cost effective operation of the Terminal, considering reliability and economy of performance, users' required capacity at the Terminal, and in the case of competing interests of users (and parties other than users), fairness and the efficiency of the coal transport chain as a whole.

18 Under the OMC, APO is required to meet certain Key Performance Indicators (**KPI**) in its operation of the Terminal. The KPIs are designed to ensure that APO is operating

the Terminal safely and efficiently in order to meet the Terminal's nominal throughput capacity and the needs of all users. The Terminal currently has a nominal throughput capacity of 50.0 mtpa and current anticipated throughput of [redacted] for the period of [redacted].

19 APO's KPIs comprise three key areas:

a) [redacted]

b) [redacted]

[redacted].

c) [redacted].

20 APO provides regular monthly reporting to NQXT on its operation of the Terminal, including health, safety and environmental compliance, community support and representation, financial costs (both fixed and variable), production and logistics, and maintenance and engineering. An example APO Monthly Report is contained at **Annexure DD-4** to this Statement.

21 While APO does not have a contractual relationship with the Terminal's users, my team and I regularly engage with users to understand their requirements and ensure we are delivering optimum Terminal operations in accordance with both the OMC and the Terminal Regulations. [redacted].

22 NQXT also provides APO with each user's contracted volumes for the year to allow APO to plan operations with users and achieve the Terminal's budgeted shipped tonnes. To plan its operations, APO relies on users' estimated tonnages to generate a "budget", a "forecast" and a "12 week rolling forecast" of the Terminal's volumes. These forecasts are tracked against "actual volumes" as depicted in Figure 1 below.

**Figure 1 Terminal forecast vs actual volumes (July 2024 – June 2025)**

23 APO utilises these volumes to forecast the monthly coal volumes moving through the Terminal against the Terminal's capacity (as shown in Figure 2 below).

**Figure 2 Terminal Outloading Capacity (June 2024 – June 2025)**

24 While users are required to use their best endeavours to present coal at an even rate to the Terminal, there are many factors outside the user's control that can affect the even presentation of coal, such as vessel arrival times, rail scheduling by Aurizon on the CQCN, maintenance and other factors (such as extreme weather events), which can result in short-term unevenness. In this way the operation of the Terminal is a dynamic operation that requires APO to be responsive and flexible to the needs of the Terminal's users, while ensuring that it operates the Terminal equitably for the benefit of all users.

### C.4 Terminal Regulations

25 APO carries out its functions in accordance with a set of Terminal Regulations, which [redacted]. The Terminal Regulations were established by APO with NQXT's consent. The Terminal Regulations were developed to ensure that they operate equitably amongst all users, and [redacted]. A copy of the Terminal Regulations is annexed to this Statement at **Annexure DD-5**.

26 The current Terminal Regulations [redacted]. The Regulations are based on three core principles:

a) [redacted];
b) [redacted]; and
c) [redacted].

27 The Terminal Regulations supplement APO's obligations under the OMC and, based on the above three core principles, address how the operator must conduct the following:

a) [redacted].
b) [redacted].
c) [redacted].

28 To assist APO in conducting the above operations, each user is required to submit to the Operator:

a) [redacted].
b) [redacted].

29 [redacted] each user is required to submit a rail order to the Operator, outlining:

a) [redacted]
b) [redacted]
c) [redacted].

30 These notifications are used by APO to prepare a [redacted] which covers:

a) [redacted];
b) [redacted];
c) [redacted];
d) [redacted]; and
e) [redacted].

The Operator utilises this information to consult with the rail service providers to develop the train schedule for the next [redacted]. The forecasting and Weekly Railing Plan delivers equity amongst users and a balance in the performance of train unloading and shiploading at the Terminal. The Weekly Railing Plan also delivers efficiencies in the coal transport chain as a whole, from commencement of loading at a mine site to the departure of a loaded vessel from the Terminal.

31 Once coal is received at the Terminal, users are allocated stockpile space within the Terminal. The coal is held in the stockpile until the user's complete consignment tonnage is received and their nominated vessel is accepted for loading at the Terminal.

32 Vessels are berthed and loaded at the Terminal in order of arrival, except to the extent that:

a) the user has not provided APO with the required authority to berth and load the coal before a vessel is deemed to have arrived for the purpose of scheduling and loading;
b) the vessel's consignment tonnage (plus the operator's predetermined contingency) is not available at the Terminal;
c) APO is not satisfied that the vessel is in all respects ready to commence loading;
d) APO is not satisfied that all regulations relating to the vessel and its berthing, loading and departure are able to be complied with.

33 Vessel priority is also subject to factors such as berth availability, tidal and loading constraints, de-ballasting requirements, special product handling requirements, prevailing weather conditions, equity amongst all users and their respective annual contracted tonnages, and optimum operation and efficiency of the coal transport chain.

34 Once a vessel is at anchor, its coal tonnage is at the Terminal (known as 'Coal At Port'), and APO has authority to berth and commence loading the coal onto the vessel (known as 'Authority To Load'), the vessel is marked by APO as a 'Live Vessel'. Once a Live Vessel is berthed, APO commences the loading process of the user's coal.

### C.5 User Committee Meetings

35 As the operator of the Terminal, APO participates in the quarterly User Committee [redacted] (**User Committee**). I consider that the User Committee meetings are beneficial for APO and the users of the Terminal as they provide an opportunity for all parties to meet and collaboratively discuss operations at the Terminal. The User Committee also provides users with the ability to raise any concerns with the operation of the Terminal, and where possible, an opportunity for the Operator and NQXT to deliver solutions.

36 The User Committee also provides the Operator with a forum to discuss with users and NQXT matters such as:

a) [redacted];
b) [redacted];
c) [redacted] and
d) [redacted].

37 [redacted].

38 A copy of the agendas for and my User Committee Presentations at the March 2025 and June 2025 quarters are included at **Annexures DD-6 and DD-7** respectively.

39 In addition to the user committee meetings, APO's Operations Manager and Logistics Superintendent undertake regular (quarterly) face to face one on one meetings with User representatives. This provides further opportunity for specific operational discussions with each User and matters that are specific to their operations, including topics such as future volume outlooks, any quality issues specific for their coal types and strategies that APO can assist to optimise their Terminal usage.

### C.6 Information Security Protocol

40 Since 2017 (and recently updated), NQXT and APO have had an Information Security Protocol (the **Protocol**) in place which [redacted]. The Protocol also [redacted]

[redacted]. While APO has confidentiality obligations under the OMC with NQXT, the Protocol [redacted].

41 A copy of the current Protocol is annexed to this statement at **Annexure DD-8**.

42 The open access provisions of the Protocol require APO to [redacted]. This means that [redacted] APO and NQXT must also [redacted].

43 The Protocol [redacted]. APO is required to:

a) [redacted]; and

b) [redacted].

44 The Protocol also sets out [redacted]. The Policy makes clear that sensitive information of users must be kept confidential and secure by the Operator and only used for the purpose of operating the Terminal.

### C.7 Limited role of APO in rail scheduling

45 It is important to emphasise that the Terminal has a different operating model to the neighbouring common user export terminal at Dalrymple Bay (DBCT).

46 DBCT operates on a "cargo assembly" basis. This means that the Terminal operates with relatively limited stockpiles and requires coal to be railed to the Terminal only when a vessel has berthed that is ready to receive that coal. A couple of things follow from this, in relation to the way that DBCT operates that are different to our Terminal.

47 First, this means that DBCT operates as a "pull" model in which the operator at DBCT necessarily plays a more central role in rail scheduling than we do at APO. The

operator at DBCT needs to have direct input into the rail plan, coordinating the railing of coal when vessels are ready to be loaded. On the other hand, our Terminal [redacted]. This means that [redacted]

48 Second, this different operating model means that [redacted].

49 Certainly, the operation of an export coal terminal is not a simple, one-sized-fits-all operation for all users. The ability of the Terminal to offer flexibility and target the specific needs of each customer improves the efficiency of the whole coal supply chain. As I describe below, we also often work with customers, at times, to identify changes that they can make at the mine or in loading coal that will also improve the efficiency of the unloading and Terminal activities.

## D History of operational performance and equitable provision of services

50 During my time as GM and based on my involvement in the senior management of APO prior to my appointment as GM, I consider that the Terminal has operated equitably for all users, and no individual user has received preferential treatment.

51 In its operation of the Terminal, APO makes operational decisions in accordance with the Terminal Regulations, the Protocol and its OMC with NQXT. APO's management team is also conscious to avoid any perceived or actual preferential treatment of Bravus as this would erode users' confidence in the independence of APO's operations. APO's overarching approach has always been to ensure that the Terminal is operated efficiently and equitably for all users.

52 I consider that the Terminal Regulations have worked effectively and delivered equality for all mines utilising the Terminal. Further, based on my communications with Terminal users, engagement with my management team, and my experience on the

ground at the Terminal, I consider that users of the Terminal also consider that the Terminal Regulations have been effective in delivering both efficiency and equal treatment for all users.

### D.1 Rail unloading

53 As I set out above, when a train arrives at the Terminal, APO commences operations on the train to transfer the coal into the Terminal through its rail inloading facility.

54 I have reviewed the train unloading time for each Terminal user over the period of AFY2025. This data shows that on average, [redacted] Where there are differences in unloading rates, this is predominantly due to the type of coal (as discussed below).

**Table 1 Nett and Gross Unload Rate (AFY2025)**

[redacted]

55 The rate at which coal can be unloaded and loaded from the Terminal is impacted by the quality and type of coal that is delivered. For example, some thermal coal is a larger, hydrophobic coal, whereas coking coal is smaller, more moisture-absorbing coal. Coking coal, in absorbing more moisture than thermal, can become “stickier” and that can mean that it doesn’t flow as freely out of the wagons during the inloading process. Consequently, it naturally can have a lower Nett and Gross Unload Rate than thermal coal.

56 [redacted]. As can be seen from Figure 3 below, the Operator maintains a Quality Management System Events (**QMSE**) register, which records the number of disruptions and events to the inloading and outloading process. The QMSE data shows that, over the 2024-25 financial year, [redacted]

57 [redacted].

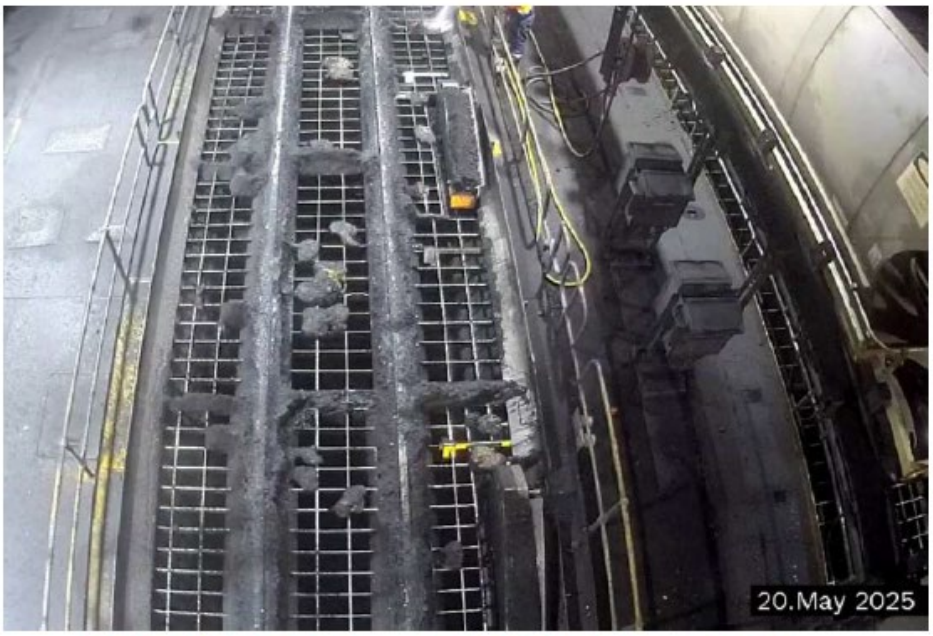
58 The difference between those who deliver thermal coal and those that deliver coking coal largely explains difference in unloading rates. [redacted]

59 The QMSE data in Figure 3 also highlights the way in which we work with customers to improve end to end supply chain efficiency. During 2024, [redacted] (as shown in Figure 3). We have worked in a similar way with other customers to address issues, such as exploring ways to reduce the incidence of sticky coal.

**Figure 3 Quality Management System Events for FY25**

**Image 1 Inloading events – Sticky coal and foreign materials**


ABOVE: INLOADING – Sticky Coal




ABOVE: INLOADING – Foreign & Oversized Material

## D.2 Equitable allocation and management of the stockpiles

60 As I set out above, APO provides each user with stockpile allocations based on their forecast demand. To provide an efficient Terminal operation, APO must evenly manage the incoming tonnes against the outloading tonnes for each user. This ensures that space is available in the stockpile for each user to stage their tonnes before being outloaded on a vessel.

61 Figure 4 below shows that the Terminal's daily allocated stockpile capacity [redacted].

**Figure 4 Daily Stockyard Utilisation (April 2023 – December 2024)**

62 When I analyse the daily stockyard utilisation of each terminal user (i.e. the shipper) on an individual basis, [redacted].

### D.3 Management of the vessel queue

63 As I outline above, APO manages the vessel queue at the Terminal on a non-discriminatory "first come first served basis" but also takes into account a number of identified factors in the Terminal Regulations to service vessels on an equitable basis. APO places considerable emphasis on ensuring that vessels calling at the Terminal are efficiently berthed and loaded at the Terminal.

64 As set out in Figure 5 below, when a vessel becomes a "Live Vessel" meaning it is at anchor, with its coal tonnage at the Terminal, and APO has received authority to load from the user, APO efficiently berths the vessel [redacted] While the number of days a vessel is at anchor often [redacted], most vessels take a several days to become a "Live Vessel" either because their required tonnage is not yet in the Terminal or APO has not received the user's authority to load the vessel.

**Figure 5 Terminal Vessel Queue (April – June 2025)**

65 Figure 5 above shows that during the June quarter of 2025, on average, vessels waited at anchor at the berth for [redacted]. The average wait time for a "Live Vessel" was [redacted]. Once the vessel was berthed, APO only required an average of [redacted] days to load the vessel. This demonstrates the efficiency of APO's vessel outloading processes.

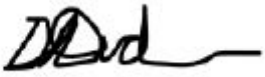
66 I have also reviewed APO's nett and gross load rates (tonnes per hour) for the AFY2025. These figures are set out in Table 2 below.

**Table 2 Nett and Gross Load Rate (AFY2025)**

67 To the extent that there is a difference in Nett and Gross load rates between users, this is explained by both (a) the loading rates of different kinds of coal; and (b) the size and type of vessel that is being loaded.

68 In a similar manner to the unloading rate (as explained at paragraph 47) the quality of coal impacts the rate at which it can be loaded onto a vessel. As a stickier coal, coking coal is more likely to clog the chutes that deliver the coal onto a vessel. To prevent the chutes becoming clogged and allow the coking coal to flow more freely, the Operator controls the loading process by slowing down the speed at which the reclaimers push through coal through the chutes. This process ensures the Terminal continues to operate efficiently for all users and minimises the number of delays and events (as recorded by the QMSE at Figure 3).

69 The size of the vessel which is being loaded also impacts loading rates. In particular, loading of smaller, geared vessels takes considerably longer than for larger ones. This is especially the case for [redacted] as noted in Table 2.



**Signature**

25 August 2025

**Date**

**Damien Dederer, General Manager**

# Annexure DD-1

# Annexure DD-2

# Annexure DD-3

# Annexure DD-4

# Annexure DD-5

# Annexure DD-6

# Annexure DD-7

# Annexure DD-8