

Notice of Investigation: North Queensland Export Terminal

1 July 2025

Declaration request under Part 5 of the QCA Act

On 13 June 2025, the Queensland Competition Authority (QCA) received a [request](#) from QCoal Pty Ltd and Byerwen Coal Pty Ltd (QCoal Users) that the QCA recommend declaration of a service pursuant to Part 5 of the *Queensland Competition Authority Act 1997* (QCA Act).¹

The QCoal Users' request identifies the relevant service as the 'Coal Handling Services at the Abbot Point Coal Export Terminal including the unloading, storing, reclaiming and loading of coal' (the service).

The request also stipulates that the facility by means of which the service is provided is the North Queensland Export Terminal facility at Abbot Point (the terminal). The terminal is described as a multi-user export cargo handling facility located at the Port of Abbot Point.

Making a recommendation

Section 79 provides that, after receiving a declaration request, the QCA is required to make a recommendation to the Minister² regarding declaration of the relevant service (or part thereof). Section 79A stipulates that the QCA must use its best endeavours to make such recommendation within 6 months from the day it receives the request (with exclusions applying for consultation and information provision periods).

In this matter, the 6-month period is therefore deemed to have commenced on 13 June 2025, and it will end on 22 February 2026, subject to further applicable extensions of time in accordance with section 79A(2).

Notice of investigation

Section 81 enables the QCA to conduct an investigation about the service for making a recommendation under section 79.

¹ Unless otherwise stipulated, all references herein to legislative provisions are to such provisions within the QCA Act.

² Currently the Minister for Finance, Trade, Employment and Training.

In accordance with section 82(1), notice is hereby provided that:

- a. The QCA intends to conduct an investigation about the service with a view to making a recommendation under section 79.
- b. The investigation will commence on 14 July 2025.
- c. The owners of the service (and/or the facility by means of which the service is provided) are North Queensland Export Terminal Pty Ltd (NQXT), NQXT Holdings Pty Ltd (NQXT Holdings) and North Queensland Bulk Ports Corporation Limited (NQBP).³
- d. The subject matter of the investigation is whether the QCA should, pursuant to section 79, recommend that:
 - i. the service be declared; or
 - ii. part of the service, that is itself a service, be declared, or
 - iii. the service not be declared.
- e. Interested persons may provide written submissions to the QCA on all matters relevant to the service declaration request within the time periods stated below.
- f. The QCA's address is:

Queensland Competition Authority
Level 27, 145 Ann Street
Brisbane QLD 4000
GPO Box 2257, Brisbane QLD 4001
Tel 07 3222 0555
www.qca.org.au/submissions/

Timetable for investigation

The timetable for submissions to this investigation are:

1. Initial stakeholder submissions on the service declaration request – due by 5 pm (AEST) on 26 August 2025
2. Submissions in response to initial stakeholder submissions ('submissions on submissions') – due by 5 pm (AEST) on 23 September 2025.

The QCA presently intends to publish a draft recommendation following its consideration of all submissions received by the specified dates. The QCA believes it is important to adhere to this timetable and accordingly may be unable to consider late submissions.⁴ Parties will, however, have a further opportunity to make submissions to the QCA following publication of the draft recommendation.

The QCA will provide further information on its intended process – particularly relating to steps following the release of the draft recommendation – in due course.

³ Refer to the declaration request, p. 4, where the applicant seeks to outline the relevant ownership details.

⁴ Subject to s. 168B.

This notice, together with the QCoal Users' service declaration request, will be published on the QCA's website for stakeholders' information.⁵

Confidentiality

In the interests of transparency, and to promote informed consultation, the QCA intends to make all submissions publicly available. However, if a person making a submission believes that information in it is confidential, they should claim confidentiality over the relevant information (and state the basis for that claim). The QCA will assess confidentiality claims in accordance with the QCA Act.

Among other things, the QCA will assess if disclosure of the relevant information is likely to damage a person's commercial activities, and the QCA will consider the public interest. Claims for confidentiality should be clearly noted on the front page of a submission, and relevant sections of the submission marked as confidential. The submission should also be provided in both redacted and unredacted versions. In the redacted version, all information claimed as confidential should be removed or hidden. In the unredacted version, all information should be exposed and visible. These measures will make it easier to make the remainder of the document publicly available.

A confidentiality claim template is available at www.qca.org.au/submission-policy/. The template gives guidance on the type of information that may help the QCA to assess a confidentiality claim. We encourage stakeholders to use this template when making confidentiality claims.

Subject to any confidentiality constraints, submissions will be available for public inspection at the QCA's Brisbane office or on its website.

Contact

The Project Manager for this investigation is Ravi Prasad (07 3222 0533; ravi.prasad@qca.org.au). The QCA's legal advisors are DLA Piper.

⁵ Subject to appropriate redaction in relation to any information over which confidentiality is claimed.