

# Aurizon Network's December 2023 GAPE and Newlands pricing DAAU

14 December 2023

On 1 December 2023, we received a draft amending access undertaking – the December 2023 GAPE and Newlands Pricing DAAU – from Aurizon Network.

The December 2023 GAPE and Newlands Pricing DAAU (December 2023 DAAU) seeks to amend the 2017 Access Undertaking to establish a new approach to regulatory pricing for the rail corridor shared by Newlands and GAPE users. Aurizon Network has stated that its December 2023 DAAU was prepared to comply with our November 2023 decision<sup>1</sup> on related matters.

## Statutory requirements

Section 143(3) of the *Queensland Competition Authority Act 1997* provides that we may only approve a DAAU if, among other things, we have published the DAAU, invited submissions on it and considered any submissions received within the time provided.

We published Aurizon Network's December 2023 DAAU on our website and invite [submissions](#) from interested parties by 19 January 2024. Further details on making submissions are attached.

## Period for approving the extension DAAU

In accordance with section 147A(2) of the QCA Act, we must use our best endeavours to decide whether to approve, or refuse to approve, a DAAU within six months from the day that is two weeks from the day the DAAU was given to us.

The six-month period does not include:

- a day in the period given by the QCA for making submissions in relation to a DAAU or a related document
- day(s) agreed to, by the owner or operator of the service or the responsible person, as not being included in the six-month period.

The six-month period commences on 15 December 2023 and is scheduled to end on 22 July 2024. Stakeholders will be notified if the end date is extended to account for any future periods of time that are excluded from the statutory timeframe, including any further consultation periods.

<sup>1</sup> QCA, [April 2023 GAPE and Newlands pricing DAAU](#), final decision, November 2023.

# Submissions

**Closing date for submissions: 19 January 2024**

Public involvement is an important element of our decision-making processes. Therefore, we invite submissions from interested parties on the December 2023 DAAU. We will take account of all submissions received within the stated timeframes. Submissions, comments or inquiries regarding this paper should be directed to:

**Queensland Competition Authority**

GPO Box 2257, Brisbane QLD 4001

Tel (07) 3222 0555

[www.qca.org.au/submissions/](http://www.qca.org.au/submissions/)

## Confidentiality

In the interests of transparency, and to promote informed consultation, we intend 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). We will assess confidentiality claims in accordance with the QCA Act. Among other things, we will assess if disclosure of the relevant information is likely to damage a person's commercial activities, and we 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 for us to make the remainder of the document publicly available. A confidentiality claim template is available at [www.qca.org.au/submission-policy/](http://www.qca.org.au/submission-policy/)

The template gives guidance on the type of information that may help us to assess a confidentiality claim. We encourage stakeholders to use this template when making confidentiality claims.

## Public access to submissions

Subject to any confidentiality constraints, submissions will be available for public inspection at our Brisbane office or on our website at [www.qca.org.au/](http://www.qca.org.au/). If you experience any difficulty gaining access to documents, please contact us on **(07) 3222 0555**.