

NOTICE OF LODGMENT
AUSTRALIAN COMPETITION TRIBUNAL

This document was lodged electronically in the AUSTRALIAN COMPETITION TRIBUNAL on 04/04/2016 4:13 pm AEST and has been accepted for lodgment under the Interim Practice Direction dated 21 August 2015. Filing details follow and important additional information about these are set out below.

Lodgment and Details

Document Lodged: INT (Toll) – REQUEST FOR CONFIDENTIAL TREATMENT OF INFORMATION

File Number: ACT 2 of 2016

File Title: Application by Sea Swift Pty Ltd under s 95AU of the *Competition and Consumer Act 2010* (Cth) for an authorisation under s 95AT(1) to acquire shares in the capital of a body corporate or to acquire assets of another person

Registry: NEW SOUTH WALES – AUSTRALIAN COMPETITION TRIBUNAL

Dated: 04/04/2016 4:13 pm AEST



A handwritten signature in blue ink, consisting of a stylized 'S' followed by a '4'.

Deputy Registrar

Important Information

As required by the Interim Practice Direction dated 21 August 2015, this Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Tribunal and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date and time of lodgment also shown above are the date and time that the document was received by the Tribunal. Under the Tribunal's Interim Practice Direction the date of filing of the document is the day it was lodged (if that is a business day for the Registry which accepts it and the document was received by 4:30 pm local time at that Registry) or otherwise the next working day for that Registry.

IN THE AUSTRALIAN COMPETITION TRIBUNAL

ACT of 2016

**RE PROPOSED ACQUISITION OF CERTAIN ASSETS OF THE TOLL MARINE
LOGISTICS BUSINESS IN THE NORTHERN TERRITORY AND FAR NORTH
QUEENSLAND**

TOLL HOLDINGS LTD

REQUEST FOR CONFIDENTIAL TREATMENT OF INFORMATION – 4 APRIL 2016

1. In accordance with section 95AZA(1) of the *Competition and Consumer Act 2010* (Cth), Toll Holdings Limited (ACN 006 592 089) (**Toll**) requests that certain information filed by Toll be excluded from the Australian Competition Tribunal's (**Tribunal**) merger authorisation register and the Australian Competition and Consumer Commission's (**ACCC**) website because the information is confidential.
2. This confidential information request covers the following documents filed today:
 - (a) Form S – Application to the Australian Competition Tribunal by Sea Swift Pty Ltd (**Sea Swift**) for Merger Authorisation (including attachments) (**Form S**);
 - (b) Statements of the following Toll company witnesses:
 - (i) Statement of Brian Gordon Kruger (including annexures) (dated 15 September 2015);
 - (ii) Statement of David Charles Jackson (including annexures) (dated 11 September 2015);
 - (iii) Statement of Scott Woodward (including annexures) (dated 16 September 2015);
 - (iv) Supplementary Statement of Scott Woodward (including annexures) (dated 2 March 2016);
 - (v) Statement of Darren John Rowland (dated 29 February 2016);
 - (c) Statements of the following individuals:
 - (i) Statement of Alastair King, Arnhem Land Progress Association (including annexure) (dated 15 September 2015);

Filed on behalf of (name & role of party)	Toll Holdings Limited
Prepared by (name of person/lawyer)	Geoff Carter
Law firm (if applicable)	Minter Ellison
Tel (03) 8608 2000	Fax (03) 8608 1000
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Address for service	Level 23, Rialto Towers, 525 Collins Street, Melbourne VIC 3000



- (ii) Statement of Ian Copeland, Islanders Board of Industry and Service (including annexure) (dated 24 September 2015);
 - (iii) Supplementary Statement of Ken Conlon, Barge Express (including annexure) (dated 3 March 2016).
3. No confidential information is contained in the following documents filed today:
- (a) Statement of Adam Thomas Martin (including annexures) (dated 15 September 2015);
 - (b) Statement of Ken Conlon, Barge Express (including annexures) (dated 16 September 2015).

FILING OF CONFIDENTIAL MATERIAL

4. In accordance with paragraph 7 of the Tribunal's Practice Direction No 3 regarding Confidential Information (**Practice Direction 3**), two copies of the documents containing confidential information have been filed as follows:
- (a) a copy of each document marked so as to show clearly the parts in respect of which confidentiality is claimed (where confidential information is **highlighted, and / or marked as confidential in whole or part**); and
 - (b) a copy of each document, where the parts in respect of which confidentiality is claimed are masked so that these parts are not disclosed (where **confidential information is redacted or removed**).
5. Please note the USB sticks include both a signed copy and an unsigned copy of the non-public (confidential) versions of the following statements:
- (a) Statement of Scott Woodward dated 16 September 2015; and
 - (b) Supplementary Statement of Ken Conlon dated 3 March 2016.
6. The unsigned copies of these two statements have been included for the Tribunal's reference due to legibility issues associated with the highlighting in the scanned copies of the signed statements.
7. The unsigned copy of the Supplementary Statement of Ken Conlon is identical to the signed copy of the statement. In the case of the Statement of Scott Woodward dated 16 September 2015, the unsigned version highlights some additional confidential material that was identified in the statement following signing. The unsigned electronic copy of this statement marks this additional information as confidential. Additional confidential information in an annexure to this statement has also been marked as confidential. The additional confidential information is specifically referred to in the table in Schedule 1. In all other respects, the unsigned copy of the Statement of Scott Woodward dated 16 September 2015 is identical to the signed copy of that statement.

IDENTIFICATION OF CONFIDENTIAL MATERIAL

8. The table below sets out the way in which various types of confidential information have been identified in the documents, and the restriction on disclosure that Toll requests in respect of each type.
9. Toll does not seek to withhold any information from the ACCC or the Tribunal.
10. The table below refers to information being shared on a “counsel only” basis. This is a reference to the information being reviewed by legal advisers, on the basis that those people not disclose the information to their clients or to others and only use the information for the purpose of the application for authorisation filed by Sea Swift. The people to whom Toll consents to the information being provided, on that basis, are:
- (a) the ACCC (including its staff) and the ACCC’s external legal advisers, consultants or independent experts retained for the purpose of these proceedings (including any relevant support staff); and
 - (b) external legal advisers, consultants or independent experts retained by Toll or Sea Swift for the purpose of these proceedings (including any relevant support staff).
11. The confidential information in each of the above documents has been identified in accordance with the following system:

Identification	Type of confidential information	Requested restriction on disclosure
Green highlighting	Information which is confidential to Toll.	Excluded from merger authorisation register. Shared on a “counsel only” basis. Otherwise, not to be shared with any person other than Toll.
Blue highlighting	Information which is confidential to Sea Swift and its customers.	Excluded from merger authorisation register. Shared on a “counsel only” basis. Otherwise, not to be shared with any person other than Sea Swift or the relevant customer.
Yellow highlighting	Information which is derived from multiple sources of information where those sources include information confidential Sea Swift and information confidential to Toll.	Excluded from merger authorisation register. Shared on a “counsel only” basis. Not to be shared with any other person.

Identification	Type of confidential information	Requested restriction on disclosure
Grey highlighting	Information which is confidential to third parties.	Excluded from merger authorisation register. Shared on a "counsel only" basis. Not to be shared with any person other than the relevant third party.
Confidential information relating to the proposed transaction	Information which is confidential to either or both Sea Swift and Toll relating to the consideration, terms and negotiation of the proposed transaction	Excluded from merger authorisation register. Shared on a "counsel only" basis and with Sea Swift and Toll. Not to be shared with any other person.

SPECIFIC REQUESTS AND SUPPORTING SUBMISSIONS

12. Pursuant to paragraph 5 of Practice Direction 3, Toll sets out below its specific requests for confidentiality restrictions on publication of certain information, and reasons for these requests.

Information confidential to Toll

13. The information marked with **green highlighting** (in accordance with the identification regime set out above in paragraph 11) is information that Toll submits is confidential to it. The information is highly commercially and / or competitively sensitive information. If competitors, customers and/or suppliers were to have access to this information, Toll may suffer commercial detriment. This information falls into one of the following categories:
- (a) **Confidential Company Financial, Accounting and Business Planning Information:**
Documents and information that disclose Toll or TML's financial position (including internal cost and revenue allocations and methodologies), revenues, costs, business strategies and analysis, internal financial benchmarks, forecasts and future plans, and which has not otherwise been publicly communicated, including:
- (i) information about Toll or TML's financial position (which is not otherwise publicly available);
 - (ii) information about Toll's strategies and analysis relation to the operations of the TML business in Far North Queensland and Northern Territory;
 - (iii) Toll's intentions and analysis with respect to the future of the TML business in Far North Queensland and Northern Territory in the absence of the proposed acquisition (which has not otherwise been publicly communicated);

- (iv) other commercially sensitive information of Toll or the TML business which is not relevant to the application for authorisation;
 - (b) **Confidential Pricing and Volume Information:** Information internal to Toll which discloses pricing information relating to Toll and / or the TML business, including Toll's policies and strategy in relation to pricing of marine freight services, and information relating to volumes of cargo shipped by Toll;
 - (c) **Confidential Customer Information:** Information relating to the customers of Toll and / or the TML business, including information about particular contracts with customers, including customer contact details, tender information and negotiation of contracts. This information is confidential to Toll and its customers. The customer contracts either contain confidentiality clauses or where they do not contain such a clause, Toll considers that the information is nevertheless commercially valuable both to Toll and its customers. Toll has not sought customers' consent to the details of the contracts being made public;
 - (d) **Confidential Supplier Information:** Information relating to the suppliers to Toll and / or the TML business, including the value of supplies made.
14. The information over which Toll makes claims in respect of confidentiality in relation to information within the above identified categories is set out in Schedule 1 to this document entitled "**Toll's Confidential Claims**".

Information derived from multiple confidential sources

15. Some information within the documents referred to in paragraph 2 is derived partly from confidential information of Toll and partly from the confidential information of Sea Swift.
16. Toll requests that this information be kept confidential from the public and only be viewed by Sea Swift and Toll on a "counsel only" basis. The confidential information that is derived from both Sea Swift's and Toll's confidential information is marked in **yellow highlighting** in accordance with the identification regime set out above in paragraph 5.
17. The information over which Toll makes claims in respect of confidentiality in relation to this category is set out in the Schedule 1 to this document entitled "**Toll's Confidential Claims**".

Information confidential to third parties

18. Some of the third parties who have provided the statements referred to in paragraph 2 have asked that some of the information provided be kept confidential. Toll requests that this material be kept confidential on the basis that the relevant third party considers the information to be commercially sensitive to it.
19. Toll submits that the information benefits the Tribunal in considering the application for authorisation by Sea Swift. Because the third parties consider the information to be commercially

sensitive, not allowing the information to remain confidential may have a deterrent effect in third parties participating in these kinds of public proceedings.

20. The confidential information that is third party confidential information is marked in **grey highlighting** on the basis that both Sea Swift's and Toll's legal advisers and independent experts and the other parties described in paragraph 10 are able to view this material on a "counsel only" basis in accordance with the identification regime set out above in paragraph 5.
21. The information over which third parties make claims in respect of confidentiality is set out in the Schedule 2 to this document entitled "**Third Party Confidential Claims**".

Confidential information relating to the proposed transaction

22. There is certain information in the documents referred to in paragraph 2 that is confidential to both Sea Swift and Toll that discloses or relates to the terms, consideration and negotiation of the proposed acquisition to which the application for authorisation applies. Toll requests that this information be kept confidential from the public and only be viewed on a "counsel only" basis and by Sea Swift and Toll.
23. This information is identified in Schedule 1 to this document entitled "**Toll's Confidential Claims**".

Exclusion of the above confidential information from the public register will not affect the proceeding

24. Exclusion of this confidential information from the public register will not affect the Tribunal's ability to assess the application for merger authorisation by Sea Swift. This is because:
 - (a) most of the information provided in the Form S application and statements that have been filed or will be filed is not subject to a confidentiality request and can be commented on by third parties;
 - (b) the ACCC will provide a report to the Tribunal and any other information and assistance that the Tribunal requires. All of the information can be accessed by the ACCC, which can comment on and test the information supporting the application for authorisation (including the confidential material);
 - (c) at the Tribunal hearing, the ACCC may call, examine and cross-examine witnesses, report on statements of fact and make submissions on any issue that it considers relevant to the application.

Additional confidentiality claims throughout the Tribunal process

25. If and to the extent that additional material is filed and additional confidentiality claims are made, Toll proposes to update Schedule 1 and Schedule 2 to this request, as necessary.
26. Further, Toll will update this Schedule as confidentiality claims are ruled on or determined by the Tribunal.

SCHEDULE 1

TOLL'S CONFIDENTIALITY CLAIMS

No	Reference	Party claiming confidentiality	Submission supporting confidentiality claim (category of confidential information)
Form S			
1.	Page 10, [3.11]	Toll / Sea Swift	Confidential information relating to the proposed transaction (marked in blue highlight)
2.	Page 10-11, [3.12(a)-(c)]-[3.13]	Toll / Sea Swift	Confidential information relating to the proposed transaction (marked in blue highlight)
3.	Page 16-17 [3.39(b)-(c)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
4.	Page 17 [3.40]	Toll	Confidential Company Financial, Accounting and Business Planning Information
5.	Page 35-36 [6.10] [Table]	Toll	Confidential Company Financial, Accounting and Business Planning Information
6.	Page 37-38 [6.15]	Toll	Confidential Company Financial, Accounting and Business Planning Information
7.	Page 39 [6.18]	Toll	Confidential Company Financial, Accounting and Business Planning Information
8.	Page 40 [6.24]	Toll	Confidential Company Financial, Accounting and Business Planning Information
9.	Page 40 [6.25]	Toll	Confidential Company Financial, Accounting and Business Planning Information
10.	Page 45 [8.2] [Table]	Toll	Confidential Customer Information
11.	Page 46 [8.3] [Table]	Toll	Confidential Customer Information
12.	Page 47 [8.4] [Table]	Toll	Confidential Customer Information
13.	Page 47-48 [8.5] [Table]	Toll	Confidential Customer Information
14.	Page 49 [8.6] [Table]	Toll	Confidential Customer Information
15.	Page 64 [15.6]	Toll	Confidential Company Financial, Accounting and Business Planning Information
16.	Page 65 [15.8]	Toll	Confidential Company Financial, Accounting and Business Planning Information
17.	Page 65 [15.9]	Toll	Confidential Company Financial, Accounting and Business Planning Information
18.	Page 65 [15.10]	Toll	Confidential Company Financial, Accounting and Business Planning Information
19.	Page 65 [15.11]	Toll	Confidential Company Financial, Accounting and Business Planning Information
20.	Page 74-75 [21.5]	Toll	Confidential Company Financial, Accounting and Business Planning Information
21.	Annexure A, Schedule 2	Toll	Confidential Customer Information
22.	Annexure C, [4]	Toll	Confidential Company Financial, Accounting and Business Planning Information
23.	Annexure C, [4] [Table]	Toll	Confidential Supplier Information
24.	Annexure D [Table]	Toll	Confidential Customer Information / Confidential Pricing and Volume Information
Statement of Scott Woodward (dated 16 September 2015)			
25.	Page 10 [5.12]	Toll	Confidential Pricing and Volume Information
26.	Page 14 [6.7]	Toll	Confidential Company Financial, Accounting and Business Planning Information <i>Please note: the final sentence is marked as confidential in the unsigned electronic copy of the statement of Scott Woodward</i>
27.	Page 17 [6.21]	Toll	Confidential Company Financial, Accounting and Business Planning Information <i>Please note: this information is marked as confidential in the unsigned electronic copy of the statement of Scott Woodward</i>
28.	Page 25 [7.2]	Toll	Confidential Company Financial, Accounting and Business Planning Information

No	Reference	Party claiming confidentiality	Submission supporting confidentiality claim (category of confidential information)
29.	Page 28 [7.11]	Toll	Confidential Customer Information
30.	Page 29 [7.13]	Toll	Confidential Customer Information
31.	Page 29 [7.16]	Toll	Confidential Customer Information
32.	Page 31 [7.23]	Toll	Confidential Company Financial, Accounting and Business Planning Information / Confidential Customer Information
33.	Page 32 [7.28(a)]	Toll	Confidential Customer Information
34.	Page 32 [7.28(b)]	Toll	Confidential Customer Information
35.	Page 32 [7.29]	Toll	Confidential Customer Information
36.	Page 33 [7.30]	Toll	Confidential Company Financial, Accounting and Business Planning Information / Confidential Customer Information
37.	Page 33 [7.32]	Toll	Confidential Customer Information
38.	Page 40 [9.7]	Toll	Confidential Company Financial, Accounting and Business Planning Information
39.	Page 41 [9.9]	Toll	Confidential Company Financial, Accounting and Business Planning Information
40.	Page 41 [9.11]	Toll	Confidential Company Financial, Accounting and Business Planning Information
41.	Page 44 [10.3]	Toll	Confidential Company Financial, Accounting and Business Planning Information
42.	Page 44 [10.4]	Toll	Confidential Company Financial, Accounting and Business Planning Information
43.	Page 46 [11.2]	Toll	Confidential Pricing and Volume Information
44.	Page 47 [11.5(b)]	Toll	Confidential Pricing and Volume Information / Confidential Company Financial, Accounting and Business Planning Information
45.	Page 47 [11.6(a)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
46.	Page 48 [11.6(b)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
47.	Page 48 [11.8]	Toll	Confidential Company Financial, Accounting and Business Planning Information
48.	Page 48 [11.9]	Toll	Confidential Company Financial, Accounting and Business Planning Information
49.	Page 48 [11.11(a)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
50.	Page 49 [11.11(b)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
51.	Page 49 [11.13]	Toll	Confidential Company Financial, Accounting and Business Planning Information
52.	Page 49 [11.14]	Toll	Confidential Company Financial, Accounting and Business Planning Information
53.	Page 49 [11.15]	Toll	Confidential Company Financial, Accounting and Business Planning Information
54.	Page 49 [11.17]	Toll	Confidential Company Financial, Accounting and Business Planning Information
55.	Page 50 [11.18]	Toll	Confidential Company Financial, Accounting and Business Planning Information
56.	Page 50 [11.19]	Toll	Confidential Company Financial, Accounting and Business Planning Information
57.	Page 50 [11.20]	Toll	Confidential Company Financial, Accounting and Business Planning Information
58.	Page 50 [11.21]	Toll	Confidential Company Financial, Accounting and Business Planning Information
59.	Page 50 [11.22]	Toll	Confidential Company Financial, Accounting and Business Planning Information
60.	Page 51 [11.23]	Toll	Confidential Company Financial, Accounting and Business Planning Information
61.	Page 53 [12.5]	Toll	Confidential Company Financial, Accounting and Business Planning Information
62.	Page 54 [12.7]	Toll	Confidential Company Financial, Accounting and Business Planning Information

No	Reference	Party claiming confidentiality	Submission supporting confidentiality claim (category of confidential information)
63.	Page 55 [13.5]	Toll	Confidential Company Financial, Accounting and Business Planning Information
64.	Page 55 [13.6]	Toll	Confidential Company Financial, Accounting and Business Planning Information
65.	Pages 55-6 [13.7]	Toll	Confidential Company Financial, Accounting and Business Planning Information
66.	Page 56 [13.8]	Toll	Confidential Company Financial, Accounting and Business Planning Information
67.	Page 57 [13.11(a)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
68.	Page 58 [13.11(b)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
69.	Annexure SW-2	Toll	Confidential Pricing and Volume Information
70.	Annexure SW-5	Toll	Confidential Company Financial, Accounting and Business Planning Information. <i>Please note: this annexure includes additional material identified as confidential (paragraph 2(b)(iii))</i>
71.	Annexure SW-8	Toll	Confidential Company Financial, Accounting and Business Planning Information
72.	Annexure SW-16	Toll	Confidential Supplier Information
73.	Annexure SW-17	Toll	Confidential Company Financial, Accounting and Business Planning Information
74.	Annexure SW-19	Toll	Confidential Company Financial, Accounting and Business Planning Information
75.	Annexure SW-20	Toll	Confidential Customer Information
76.	Annexure SW-21	Toll	Confidential Customer Information
77.	Annexure SW-23	Toll	Confidential Pricing and Volume Information
78.	Annexure SW-24	Toll	Confidential Customer Information
79.	Annexure SW-27	Toll	Confidential Company Financial, Accounting and Business Planning Information
80.	Annexure SW-28	Toll	Confidential Company Financial, Accounting and Business Planning Information
81.	Annexure SW-29	Toll	Confidential Company Financial, Accounting and Business Planning Information
82.	Annexure SW-30	Toll	Confidential Company Financial, Accounting and Business Planning Information
83.	Annexure SW-31	Toll	Confidential Company Financial, Accounting and Business Planning Information
84.	Annexure SW-32	Toll	Confidential Company Financial, Accounting and Business Planning Information
85.	Annexure SW-33	Toll	Confidential Company Financial, Accounting and Business Planning Information
86.	Annexure SW-34	Toll	Confidential Pricing and Volume Information
87.	Annexure SW-35	Toll	Confidential Pricing and Volume Information
88.	Annexure SW-36	Toll	Confidential Company Financial, Accounting and Business Planning Information
89.	Annexure SW-37	Toll	Confidential Company Financial, Accounting and Business Planning Information
90.	Annexure SW-38	Toll	Confidential Company Financial, Accounting and Business Planning Information
91.	Annexure SW-40	Toll	Confidential Company Financial, Accounting and Business Planning Information
Supplementary Statement of Scott Woodward (dated 2 March 2016)			
92.	Page 3 [2.3]	Toll	Confidential Company Financial, Accounting and Business Planning Information
93.	Page 3 [2.4]	Toll	Confidential Company Financial, Accounting and Business Planning Information
94.	Page 4 [2.9]	Toll	Confidential Company Financial, Accounting and Business Planning Information

No	Reference	Party claiming confidentiality	Submission supporting confidentiality claim (category of confidential information)
95.	Page 4 [3.1]	Toll	Confidential Company Financial, Accounting and Business Planning Information
96.	Page 5 [3.3]	Toll	Confidential Company Financial, Accounting and Business Planning Information
97.	Pages 5-6 [3.4]	Toll	Confidential Company Financial, Accounting and Business Planning Information
98.	Page 6 [4.2(d)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
99.	Page 7 [4.2(e)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
100.	Page 7 [4.2(g)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
101.	Page 7 [5.2]	Toll	Confidential Company Financial, Accounting and Business Planning Information / Confidential Customer Information
102.	Page 8 [5.7]	Toll	Confidential Company Financial, Accounting and Business Planning Information / Confidential Customer Information
103.	Page 11 [7.3]	Toll	Confidential Company Financial, Accounting and Business Planning Information
104.	Annexure SW-41	Toll	Confidential Pricing and Volume Information
105.	Annexure SW-43	Toll	Confidential Pricing and Volume Information
106.	Annexure SW-46	Toll	Confidential Company Financial, Accounting and Business Planning Information
Statement of Brian Gordon Kruger (dated 15 September 2015)			
107.	Page 3 [3.2]	Toll	Confidential Company Financial, Accounting and Business Planning Information
108.	Page 3 [4.3]	Toll	Confidential Company Financial, Accounting and Business Planning Information
109.	Page 4 [5.1]	Toll	Confidential Company Financial, Accounting and Business Planning Information
110.	Page 4 [5.4]	Toll	Confidential Company Financial, Accounting and Business Planning Information
111.	Page 5 [5.5]	Toll	Confidential Company Financial, Accounting and Business Planning Information
112.	Page 5 [5.8]	Toll	Confidential Company Financial, Accounting and Business Planning Information
113.	Page 5 [5.9]	Toll	Confidential Company Financial, Accounting and Business Planning Information
114.	Page 6 [5.11]	Toll	Confidential Company Financial, Accounting and Business Planning Information
115.	Page 6 [6.1]	Toll	Confidential Company Financial, Accounting and Business Planning Information
116.	Page 7 [7.2(a)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
117.	Page 8 [7.2(b)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
118.	Page 8 [7.3(a)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
119.	Pages 8-9 [7.3(b)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
120.	Annexure BGK-1	Toll	Confidential Company Financial, Accounting and Business Planning Information
121.	Annexure BGK-2	Toll	Confidential Company Financial, Accounting and Business Planning Information
122.	Annexure BGK-3	Toll	Confidential Company Financial, Accounting and Business Planning Information
123.	Annexure BGK-4	Toll	Confidential Company Financial, Accounting and Business Planning Information
124.	Annexure BGK-5	Toll	Confidential Company Financial, Accounting and Business Planning Information
125.	Annexure BGK-6	Toll	Confidential Company Financial, Accounting and Business Planning Information

No	Reference	Party claiming confidentiality	Submission supporting confidentiality claim (category of confidential information)
126.	Annexure BGK-8	Toll	Confidential Company Financial, Accounting and Business Planning Information
127.	Annexure BGK-9	Toll	Confidential Company Financial, Accounting and Business Planning Information
Statement of David Charles Jackson (dated 11 September 2015)			
128.	Page 5 [5.8]	Toll	Confidential Company Financial, Accounting and Business Planning Information
129.	Page 5 [5.12]	Toll	Confidential Company Financial, Accounting and Business Planning Information
130.	Page 6 [6.5(a)]	Toll	Confidential information relating to the proposed transaction
131.	Page 6 [6.5(b)]	Toll	Confidential information relating to the proposed transaction
132.	Pages 6-7 [6.8]	Toll	Confidential information relating to the proposed transaction
133.	Page 7 [6.9]	Toll	Confidential information relating to the proposed transaction
134.	Annexure DCJ-1 (Whole)	Toll	Confidential Company Financial, Accounting and Business Planning Information
Statement of Darren John Rowland (dated 29 February 2016)			
135.	Page 3 [3.3(b)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
136.	Page 4 [3.4(b)-(d)]	Toll	Confidential Company Financial, Accounting and Business Planning Information
137.	Pages 4-5 [3.6]	Toll	Confidential Company Financial, Accounting and Business Planning Information
138.	Page 5 [3.7] [Table]	Toll	Confidential Company Financial, Accounting and Business Planning Information

SCHEDULE 2

THIRD PARTY CONFIDENTIALITY CLAIMS

No	Reference	Party claiming confidentiality	Submission supporting confidentiality claim (category of confidential information)
Statement of Alastair King (dated 15 September 2015)			
1	Page 2 [2.1]	ALPA	Information Confidential to Third Parties
2	Page 5 [5.5]	ALPA	Information Confidential to Third Parties
3	Page 5 [5.6]	ALPA	Information Confidential to Third Parties
4	Annexure AK-1	ALPA / Toll	Information Confidential to Third Parties / Confidential Customer Information
Statement of Ian Copeland (dated 24 September 2015)			
5	Annexure IC-1	IBIS / Toll	Information Confidential to Third Parties / Confidential Customer Information
Supplementary Statement of Ken Conlon (dated 3 March 2016)			
6	Page 3 [5.3]	Barge Express	Information Confidential to Third Parties
7	Page 3 [5.4]	Barge Express	Information Confidential to Third Parties