

30 January 2015

Deputy General Manager  
Infrastructure & Transport - Access & Pricing Branch  
ACCC  
GPO Box 520  
MELBOURNE VIC 3001  
Email: [transport@acc.gov.au](mailto:transport@acc.gov.au)

To whom it may concern

**Applications seeking exemption from certain provisions of the Port Terminal Access (Bulk Wheat) Code of Conduct: GrainCorp Operations Limited's Geelong and Portland port terminals and Emerald Logistics Pty Ltd's Melbourne port terminal**

Introduction

This letter sets out comments from Glencore Grain Pty Ltd and Viterra Ltd (together "the Company") in relation to the applications by GrainCorp Operations Limited's Geelong and Portland port terminals and Emerald Logistics Pty Ltd's Melbourne port terminal seeking exemption from certain provisions of the Port Terminal Access (Bulk Wheat) Code of Conduct.

The Company's Views

We believe full deregulation is the best policy for the Australian grains industry to maximise its competitiveness in the global market.

Barriers to entry for other export ports are low, as evidenced by recent new grain export terminal developments across Australia, despite surplus capacity already existing.

If regulation is applied, then it must be at a consistent level, applied across all port terminals and operators in Australia, with a transition to full deregulation, and:

- without imposing undue cost on industry
- ensure an appropriate level and consistent reporting from all port terminal operators
- avoid the potential for unintended market distortions due to artificial market forces
- not impose greater obligations on some operators
- avoid increased regulatory costs that will arise via a complicated two tier system.

We believe that all port terminals should operate under minimal and an equitable level of regulation and therefore support the exemptions of GrainCorp Operations Limited's Geelong and Portland port terminals and Emerald Logistics Pty Ltd's Melbourne port terminal.

If required we can provide further detail on specific matters raised in the Issues Paper.

Yours sincerely



**Philip Hughes**  
General Manager, Trading  
Glencore Grain



**Tim Krause**  
General Manager, Viterro Operations  
Viterro