

21 January 2015

Dominic L'Huillier
Senior Regulatory Manager
Essential Services Commission
Level 2 35 Spring Street
Melbourne Victoria 3000

By email: Dominic.LHuillier@esc.vic.gov.au

Dear Mr L'Huillier

Application for Extension of Expiry Date for the South Dynon Terminal Access under the Victorian Rail Management Act 1996

As outlined in our letter of 10 December 2014 the South Dynon Terminal (SDT) is a declared rail transport service under the Victorian Access Regime. This requires Asciano Services (trading as Pacific National) to provide access for third parties to the SDT on the terms and conditions in the SDT Access Arrangement.

Section 38ZO of the Victorian Rail Management Act allows for the extension of the expiry dates of access arrangements such as the SDT Access Arrangement. This letter is an application for an extension of the expiry date of the SDT Access Arrangement under section 38ZO.

Description of Proposed Variation

The term of the SDT Access Arrangement under section 1.2 of the Access Arrangement is currently three years, thus the Access Arrangement currently expires on 1 July 2015.

As outlined in our letter of 10 December 2014 Asciano Services is seeking to extend the term of the current access arrangement in section 1.2 of Arrangement by two years such that the full term of the SDT Access arrangement will now be five years. (Thus the expiry date of the approved SDT Access Arrangement will be 1 July 2017).

Consequently please find attached a marked-up copy of the SDT Access Arrangement which amends clause 1.2 of the Access Arrangement to now read "The term of the Access Arrangement is 5 years from the commencement date of this Access Arrangement". There are no other changes to the Access Arrangement document.

Reason for Proposed Variation

Asciano Services understands that the Victorian Department of Transport Planning and Local infrastructure (DTPLI) are considering substantial changes to the Victorian rail access regime in 2015.

In order to avoid the unnecessary costs of establishing a new SDT Access Arrangement shortly before potentially major changes are made to the Victorian rail access regime Asciano services wish to extend the expiry date of the current access arrangement by two years.

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Should further information on this application be required please contact Stuart Ronan on (02) 8484 8056.

Yours sincerely



Andrew Adam
General Manager National Intermodal
Pacific National

