



**Matt Kean**  
Treasurer  
Minister for Energy

## MEDIA RELEASE

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### INDEPENDENT DETERMINATION OF PORT OF NEWCASTLE CONTAINER TERMINAL GETS UNDERWAY

An independent determination of the value of Port of Newcastle's container reimbursement provisions has begun.

Treasurer Matt Kean said the provisions, under recent laws supported by the NSW Liberal and Nationals Government, are focused on getting a fair outcome for taxpayers while giving Port of Newcastle more investment certainty to build a container terminal.

"Our ports are the State's gateway to the world, helping connect NSW farmers and energy producers with overseas markets to grow the economy," Mr Kean said.

"While the NSW Government welcomes the recent Full Federal Court decision to uphold the State's long-term lease arrangements of our ports, we recognise that Port of Newcastle wants further certainty around the cost to build a terminal.

"This determination will provide a pathway for Port of Newcastle to invest with confidence in a container terminal if it chooses to do so, helping to keep pace with a constantly changing global market and keeping our competitive advantage."

The NSW Liberal and Nationals Government amended the *Port of Newcastle (Extinguishment of Liability) Act 2022* to provide more investment certainty for Port of Newcastle to build a container terminal if it chooses to do so.

Under the original long-term lease arrangements, if Port of Newcastle operates above a specified container cap and certain other conditions are met, it must reimburse the NSW Government.

The Independent Pricing and Regulatory Tribunal will be appointed to determine the amount Port of Newcastle can pay to extinguish this liability, creating a pathway for the Port to invest in and develop a container terminal.

**MEDIA: Jack Keppel | 0475 583 234**