



# Port of Newcastle Compensation Review

June 2023

## We are seeking submissions until 30 June 2023

Under the *Port of Newcastle (Extinguishment of Liability) Act 2022*, IPART is required to determine the value of a one-off compensation payment that can be made by the operator of the Port of Newcastle to the State.

This one-off compensation amount is to be calculated as the amount by which the financial value of the right to operate and lease the assets of the Port of Newcastle for 98 years would have been reduced, in the opinion of a reasonable person at the time the transaction deed was entered into, because of the inclusion of the reimbursement provision in the transaction deed.

If the operator of the Port of Newcastle pays this one-off compensation amount to the State, from that date, they will not be required to reimburse the State for payments made to the operator of Port Botany and Port Kembla under the transaction deeds.

We are seeking submissions from interested parties to help inform our review and assist us in determining the value of the one-off compensation amount that can be paid by the operator of the Port of Newcastle to the State.

You can make a submission on IPART's [Review page for the Port of Newcastle compensation](#) until 30 June 2023.

## All submissions will be disclosed to the State and the operator of the Port of Newcastle

For this review, we are unable to consider confidential submissions. **All submissions will be disclosed in full to the State and the operator of the Port of Newcastle. This is the case even if you claim confidentiality over material in your submission.** Please consider this before you make a submission to IPART for this review.