

Public register version – Restriction of publication claimed in relation to part



Proposed development of New Brisbane Cruise Terminal Submission by Port of Brisbane and Carnival Australia in response to Draft Determination

23 March 2018

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Information confidential to the Applicants has been redacted from this version.

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1 Overview

On 1 March 2018, the ACCC issued its Draft Determination proposing to grant conditional authorisation for the Applicants to enter into the Agreements which underpin the Proposed Development and the New Cruise Facility.¹

The Applicants welcome the ACCC's recognition of the significant public benefits that will result from the Proposed Development. The Applicants wish to provide the ACCC with more information to enable it to complete its assessment of the Proposed Development. They provide this submission in addition to their response to the ACCC's information request of 7 March 2018.

The Applicants consider that, by adding more capacity and enabling larger ships to berth in Brisbane, the Proposed Development is inherently pro-competitive compared with the counterfactual. As the ACCC has concluded, the Proposed Development will also result in significant public benefits including:

- increased competition for the provision of cruise terminal services;
- dedicated cruise terminal capacity that can be utilised by cruise vessels over 270m in length, which will increase competition for the provision of cruise services and enable the homeporting in Brisbane of very large cruise ships;
- significant operating efficiencies for cruise operators due to the New Cruise Facility's location;
- improved customer experience; and
- very material economic benefits to the Brisbane and broader Queensland economy during both the construction and operational phases. These include benefits such as increased employment opportunities, general benefits for tourism, ground transport, supply chain, and support service industries, as well as the added value created for travel agencies through increased volumes of commissions as the region's cruise industry expands to support larger ships.

These benefits would not be available absent the Agreements. Under the take or pay obligations as negotiated, Carnival receives 100 Foundation Berthing Days in return for a payment of approximately [Restriction of publication claimed] per annum to PBPL. Carnival's commitment is the minimum that PBPL requires to sufficiently reduce (but not eliminate) the risk of the Proposed Development. Should Carnival's commitment be any less than that which is proposed under the Agreements, the Board of PBPL would not approve the investment in the Proposed Development and the New Cruise Facility. Accordingly, the take or pay obligations are fundamental for the Proposed Development to proceed.

Carnival's access to 100 Foundation Berthing Days is commensurate with its financial commitment and necessary to provide it certainty and flexibility for current and future operations as the only cruise operator that has committed to offer year round services in Brisbane. These rights must take account of current demand and usage patterns, but also allow for the fact that these may change over time. The fact that Carnival currently uses 134 berthing days per annum (not including transit calls) is indicative that this

¹ Draft Determination: Application for authorisation lodged by Port of Brisbane Pty Ltd and Carnival in respect of contractual arrangements to support the construction of a new cruise ship terminal, 1 March 2018 (**Draft Determination**), p i.

number of Foundation Berthing Days reflects its operational needs and is not designed for the purpose of excluding potential entrants from the New Cruise Facility.

While Carnival may not use 4 berthing days every week, there are a number of weeks in which Carnival requires 4 days to give effect to its schedules across a range of weekends and weekdays, deploying a mix of its brands. Other cruise operators offer itineraries during the summer cruise season only (see Attachment C).² Carnival instead has consistently operated on varying days of the week (see Attachments A and C) and across the year (see Attachment C and Figures 1 and 2).

Carnival's indicative berthing schedule (Figure 3) illustrates Carnival's need for a maximum of 4 days in certain weeks of the year to accommodate a variety of departure days and deployment schedules across Carnival's brands. From time to time, Carnival will also require additional berthing days to accommodate transit calls, which may increase the number of weeks in which it requires a maximum of 4 berthing days. Carnival's purpose in making such a significant financial commitment to the Proposed Development is to provide it with certainty of berthing and terminal access to continue to operate its current and anticipated year round schedules, while providing the flexibility to add new services in response to changes in demand from time to time, or to vary its deployment mix across its various brands. Given the long term nature of the commitment, Carnival requires flexibility into the future to ensure it can develop itineraries and deployments which are responsive to market needs and preferences. The ability to book and obtain priority over up to 4 days in a week provides Carnival with this flexibility, while providing ample available capacity for other potential operators.

Importantly, while Carnival will have priority rights over 100 days, it has no right to book a day that it does not actually use. It cannot game its Foundation Berthing Days entitlement in order to keep potential operators from accessing particular days. In particular, given the proposed arrangements grant Carnival fewer Foundation Berthing Days than it currently needs to operate services, it would have no ability or incentive to do so. The Applicants acknowledge that without Carnival's commitment, the Proposed Development would not proceed. They also acknowledge that the protection of Carnival's commitment must be balanced against the need to preserve the opportunity for new entry into the Brisbane cruise market. The Applicants consider that, by limiting Carnival's ability to use the 100 Foundation Berthing Days to a maximum of 4 days in any week, this balance is achieved. That limitation provides other potential users with guaranteed access to berth at the Facility 3 days per week, reflecting approximately 43% of capacity each week, which is capacity not currently available in Brisbane to ships over 270m and provides the opportunity to build viable itineraries. At the same time, it enables Carnival to operate year round cruise services consistent with its schedules.

This submission provides:

- 1 Further evidence on why the take or pay commitment is necessary in order to reduce the commercial risk of the Proposed Development;
- 2 Details on why it is appropriate and proportionate to limit Carnival's use of its Foundation Berthing Days to a maximum of 4 days per week, as opposed to 3 as posited by an anonymous third party; and

² These itineraries were also provided in the Applicants' Submission in response to anonymous summaries of confidential interested party submissions (19 December 2017).

- 3 Confirmation that the Applicants accept the authorisation condition proposed in the Draft Determination. Carnival will not seek a first right of refusal over the second berth. The Applicants alternatively propose to extend the Most Favoured Nation Clause set out in clause 22 of the proposed Agreement for Licence (**MFN Clause**) to the second berth, to prevent free-riding on Carnival's investment in the New Cruise Facility should PBPL construct a second and less expensive berth.

Further evidence on why the quantum of the take or pay commitment is necessary in order to reduce the commercial risk of the Proposed Development will be addressed separately by PBPL in its confidential response to the ACCC's information request of 7 March 2018.

In addition, the Applicants provide:

- clarification on a small number of factual aspects of the Draft Determination; and
- responses to arguments made by anonymous third party submissions provided shortly before the Draft Determination was issued.

2 Extent of commitment required to support the Proposed Development and the New Cruise Facility

The ACCC has recognised that the New Cruise Facility is unlikely to be built without some form of a long term take or pay commitment and that, without the financial commitment of one or more of its customers, PBPL would be unlikely to take the risk to invest in the Proposed Development.³ The ACCC has also recognised the significant public benefits that will result from the construction of the New Cruise Facility. In this way, these public benefits are made possible by the take or pay commitment.

The Agreements, including the take or pay commitments as they stand, were the result of very lengthy commercial negotiations between the Applicants. These negotiations took place in the context of a Market Led Proposal to the Queensland Government, which required assurance that the Proposed Development would be commercially viable as a condition on the grant of land at Luggage Point.

Carnival's level of financial commitment and its corresponding priority entitlements are directly linked to the projected development costs and, in particular, to the decision by other potential users not to make a financial commitment to the Proposed Development.

Royal Caribbean also participated in earlier negotiation phases. Royal Caribbean ultimately decided not to make any commitment to support the New Cruise Facility. This is despite the fact that the Facility provides cruise terminal capacity that could be accessed by Royal Caribbean's larger ships, which otherwise were unable to homeport in Brisbane. After Royal Caribbean decided not to make any commitment, when Carnival was considering entering into a Memorandum of Understanding with PBPL alone, Carnival initially agreed to an annual commitment of around **[Restriction of publication claimed]** per year in exchange for 100 Foundation Berthing Days. As the cost of the Proposed Development was revised upwards, PBPL required Carnival to increase its annual commitment to around **[Restriction of publication claimed]** per annum for access to 100 Foundation Berthing Days. Carnival's commitment as it relates to vessel

³ Draft Determination, [40],[41].

access charges is capped at a Capex spend of \$[Restriction of publication claimed].⁴ The level of recovery of PBPL's capital and operating expenditure which is guaranteed by Carnival's very large commitment does not eliminate the risks for PBPL associated with the Proposed Development and the operation of the New Cruise Facility, but represents approximately [Restriction of publication claimed] of the project risk.⁵ [Restriction of publication claimed] Carnival was prepared to make such a significant commitment in a context in which it:

- has no guarantee of secure berthing options in Brisbane at the existing Portside terminal, both because of an inability to reach a commercial agreement with the operator and because the operator's future plans for the site are uncertain given it has no legal requirement to continue to operate post 2021;
- has historically established successful cruise itineraries in Brisbane and committed to year round deployment of cruise ships homeported in Brisbane (see Figures 1 and 2), and, in this context, wishes to continue to grow its Brisbane-based business with the certainty and flexibility to grow and change patterns over time;
- wishes to bring newer and larger ships into Brisbane which cannot be berthed at Portside; and
- has calculated that, [Restriction of publication claimed] the additional financial commitment would be offset by savings and efficiencies.

In light of these factors, Carnival was prepared to proceed, notwithstanding that proceeding involved a significant benefit to Carnival's competitors, including Royal Caribbean. Proceeding with the Proposed Development provides Royal Caribbean the ability to berth its larger ships – the only ships that it has chosen to deploy in the region. Having made this additional commitment, Carnival would not accept a reduction in the number of Foundation Berthing Days it can access, or further limits on the way it can use these Foundation Berthing Days. Any reduction of the number of Foundation Berthing Days or their permitted usage would fundamentally change the commercial value of the Agreements for Carnival and necessitate a reduction in the quantum of its take or pay commitment. It would also necessitate a reconsideration of whether it makes sense for Carnival to make any commitment at all in Brisbane

Significantly, Carnival requires more than 100 berthing days per annum and, in some weeks, requires four berthing days to give effect to its current and projected cruise schedule. Therefore a change to these rights would fundamentally alter the ability of the Proposed Development to satisfy Carnival's requirement for security of access to cruise terminal capacity in Brisbane, on a year round and long term basis. As this was the key motivator for Carnival's entry into the Agreements, such a change will compromise the commercial agreement between the Applicants.

Further, if Carnival was required to accept a reduction in Carnival's access entitlements (in terms of Foundation Berthing Days and the usage of those days) in return for its existing take or pay commitment, even assuming the Applicants were to renegotiate acceptable commercial terms on this basis to allow the Proposed Development to proceed, this would materially change the long term efficiency of the New Cruise Facility. It would increase access charges for the site and raise operating costs for both Carnival

⁴ Clause 13 (Access Charges) of Agreement for Licence.

⁵ As previously submitted, given the volatility of the tourism sector and the fact that it is often the sector that suffers first and is hardest hit in economic down turns, the take or pay commitment represents the minimum level of commitment that is required for PBPL to assume the project risk and proceed with the Proposed Development and operation of the New Cruise Facility.

and other users of the New Cruise Facility. This would ultimately make cruise costs associated with the New Cruise Facility uncompetitive, resulting in higher prices or a drop in demand, limiting the opportunity for tourism-related economic uplift in the South East Queensland economy.

Should Carnival's commitment be any less than that which is proposed under the Agreements, the underwrite relied upon by PBPL would be such that the Board of PBPL would not approve the investment in the Proposed Development and the New Cruise Facility. Evidence on why the quantum of the take or pay commitment is required in order to support the development of the New Cruise Facility and the projected costs of the Proposed Development has been separately provided by PBPL in its confidential response to the ACCC's information request of 7 March 2018.

Figure 1: 2015-2018 Presence of cruise operators in Brisbane⁶

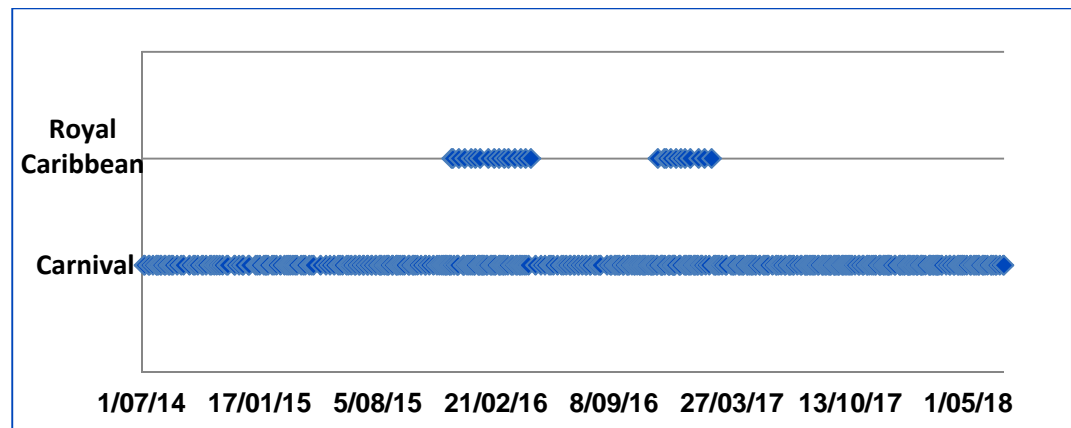
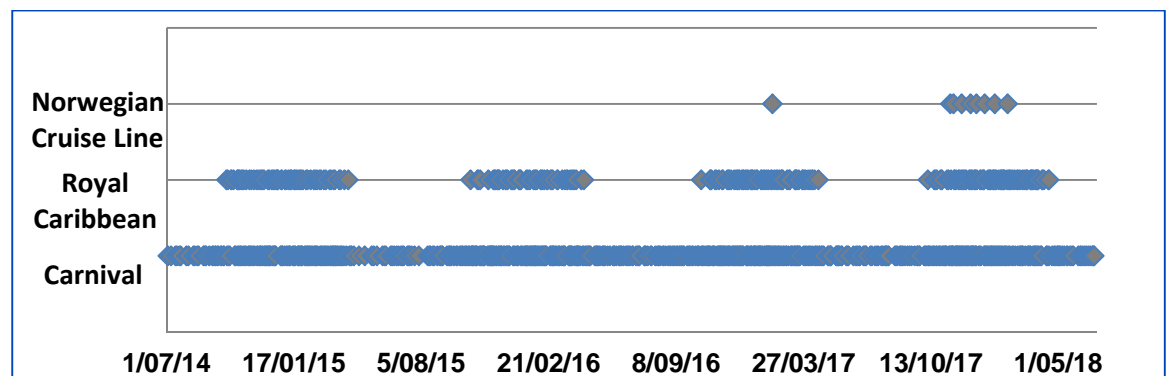


Figure 2: 2015-2018 Presence of cruise operators in Sydney⁷



⁶ This Figure was also provided in the Applicants' Submission in response to anonymous summaries of confidential interested party submissions (19 December 2017).

⁷ This Figure was also provided in the Applicants' Submission in response to anonymous summaries of confidential interested party submissions (19 December 2017).

3 A 4 day per week limit on Carnival’s exercise of its Foundation Berthing Days is appropriate and proportionate

3.1 Overview

Carnival’s use of its Foundation Berthing Days is limited to a maximum of 4 per week, leaving 3 berthing days per week fully contestable by competitors. Those limitations are an appropriate and proportionate limit on Carnival’s rights. They balance Carnival’s return for its significant financial commitment and its need for secure access to give effect to its existing schedules, with the goal of promoting both access to the New Cruise Facility and competition in the cruise market. Carnival has no intention of gaming this entitlement for the purposes of excluding competitors or making it more difficult to compete. Rather, Carnival intends to use its entitlement to give effect to its existing schedules and provide security of access for the future.

An anonymous interested party has asserted that, if Carnival was to use its 100 Foundation Berthing Days to book 4 berthing days per week over the summer cruise season, it would have the effect of foreclosing competition at the New Cruise Facility as the remaining days would be suboptimal to give effect to a viable cruise itinerary. That anonymous interested party has suggested that Carnival would game its entitlements for the purpose of preventing entry to the New Cruise Facility. It contends that Carnival’s use of its Foundation Berthing Days should be limited to 3 days per week.⁸

In its Draft Determination the ACCC has said that, if Carnival did use the maximum of its Priority Berthing Days over the summer season, it would limit options for new entrants. However the ACCC has also said that at this stage it has insufficient information to be satisfied that Carnival’s access to a maximum of 4 berthing days per week is likely to result in such significant detriment to competition to justify imposing a condition, for example, limiting Carnival’s use of berthing days to 3 per week.⁹

The Applicants provide further information which they consider will provide the ACCC with comfort that the limitation of 4 days per week is appropriate and proportionate.

3.2 Purpose of 4 day per week limit on usage of berthing days

In reaching their agreement on a 4 berthing days per week limitation, the Applicants sought to strike a balance between providing Carnival sufficient incentive to commit and ensuring capacity would be available to other market participants. The Applicants considered that a 4 day limit represented a reasonable balance between the recognition of Carnival’s significant investment, commitment and scheduling needs, and the desire to have the New Cruise Facility operate as a common user terminal.

It is in PBPL’s interest to promote new entry to the Facility, to increase utilisation, and to deal with more than one key customer.

At the same time Carnival needs to be able to securely implement the year round cruise schedules that it has spent years building in Brisbane and, having made such a significant investment, requires assurance that it will be able to continue to do so. Currently, Carnival does not intend to berth on 4 days every week. However, based on its current indicative deployment plans, it will require 4 berthing days across a number of

⁸ Draft Determination, [75], [83]-[84].

⁹ Draft Determination, [86].

weeks. As it continues to look for opportunities to grow its presence in Brisbane, Carnival requires long term security and flexibility to add more services across its brands and to accommodate calls up to a 4 day per week maximum.

Importantly, Carnival has no ability to stock pile days that it does not use, or block access to days to which it has not already committed. It is required to request berthing days 24 months in advance of a cruise season. If it has not scheduled a service on a day, this becomes available for anyone else to book. This is the case regardless of whether Carnival has already 4 days or 2 days in that week. The 4 days per week is not an absolute entitlement but a limit on the exercise of Carnival's Priority Berthing Days. If Carnival does not use its Foundation Berthing Days, it loses them.

3.3 Proposed use of New Cruise Facility

Carnival intends to use its Priority Berthing Days consistently with its usual practices which inform deployment decisions. Carnival currently operates year round services in Brisbane with 134 vessel turnarounds each year. **[Restriction of publication claimed]**

Carnival has not finalised its proposed schedule for operations at the New Cruise Facility. However, typical of its usual practice of planning with the intention of booking berths 24 months prior to a cruise season, it has begun planning its schedule for 2020-2021. If the New Cruise Facility is constructed according to timetable, it currently proposes to operate these services from that Facility.

Besides the current and historical cruise itineraries of operators at Sydney and Brisbane cruise terminals in Attachment C, below is Carnival's draft indicative schedule for 2020-2021 which shows planned berthing days in Brisbane. This is a preliminary and indicative plan only and may be changed for operational or demand reasons. However, it is provided as it gives an indication of Carnival's proposed use of its Foundation Berthing Days, additional ad hoc days, and the availability of days for other cruise operators.

Figure 3: Carnival's indicative cruise schedule for 2020-2021

[Restriction of publication claimed]

Carnival is making this investment in order to secure rights to enable current levels and patterns of business to continue, **[Restriction of publication claimed]**. This is consistent with Carnival's ongoing commitment to the Australian cruise market and to Brisbane in particular. Carnival has over time built up regular 7 day track itineraries to the Pacific Islands and Queensland ex-Brisbane, departing and returning on a weekend. **[Restriction of publication claimed]** However, there is not sufficient demand for Carnival to only operate these kinds of itineraries or to operate these across all of its cruise brands at the same time. So it operates a mix of 3-4 day itineraries and, particularly during holiday periods, some longer itineraries. **[Restriction of publication claimed]** The mix of cruise itineraries provides passenger choice and variety targeted to different travellers, while utilising both weekends and weekdays. Given the long term nature of the commitment, Carnival requires flexibility into the future to ensure it can develop itineraries and deployments which are responsive to market needs and preferences.

Carnival's mix of itineraries also enables it to efficiently deploy its vessels between different ports and regions. Carnival operates a network business. Its deployment decisions in Brisbane take into consideration deployment elsewhere in Australia and internationally, as well as its assessment of demand. Given this, and contrary to the anonymous submissions, it is unrealistic to expect that Carnival would change its successful cruise deployment strategy in order to prevent competitors from accessing the New Cruise Facility.

3.4 The proposed use of the New Cruise Facility does not limit potential competitors' ability to operate viable cruise schedules

As previously submitted (see Attachment C), different cruise operators successfully operate cruise schedules of varying lengths and with varying departure days. This is the case, for example, in Sydney and historically in Brisbane (see Figures 1 and 2).¹⁰ They do this for a variety of reasons, including:

- customer preferences for cruises of short, medium and longer duration and consequent varying price points;
- the cruising time to destinations and the distances between ports of call;
- the nature of the ship and customer preferences, for example whether it is a more exclusive ship;
- to maximise the efficient utilisation of vessels and allow for maintenance;
- because of availability of berths, not only within Australia but at international destination ports or ports of call, many of which are capacity constrained (including those in the Pacific Islands); and
- to create an overall efficient network schedule, taking into account seasonality and vessel availability.

Carnival profitably operates shorter and longer itineraries from Brisbane as part of its schedule mix, with a variety of departure days. The schedule in Attachment A sets out Brisbane historical berth utilisation by day of week since 2002 (excluding transit calls), indicating the summer and winter seasons. This shows the variety of deployment patterns which have been operated by both Carnival and Royal Caribbean across all days of the week. Interestingly, prior to Carnival commencing Brisbane operations, Royal Caribbean was the only operator in the 2002-2003 and 2003-2004 cruise seasons. Although operating only a handful of cruise itineraries, Royal Caribbean did not berth on any Sundays or Fridays and only on one Saturday in each season. This demonstrates that it is possible to build viable deployments on different departure days. Carnival entered this market once Royal Caribbean had withdrawn (before again re-entering in 2015).

In the anonymised summary of its submission, dated 15 November 2017, an interested party has stated that the take or pay obligations do "not recognise the commercial reality that weekend days, and days surrounding the weekend, are much more commercially valuable. Carnival will be able to take advantage of this by dominating weekends and surrounding days."¹¹ This is not the case. As identified above, in markets throughout Australia and globally, cruise operators successfully operate itineraries with departures on various days of the week and with differing durations.

[Restriction of publication claimed]

¹⁰ See Figures 1, 2 3, 4 and 7 of Submission, 19 December 2017.

¹¹ Anonymous summary of third party submission, 15 November 2017, p 1

3.5 A 3 day per week limit on Carnival would be unworkable

An anonymous third party has submitted that in order to access Priority Berthing Days, “the requirement to commit to a minimum of 20 calls from day one is commercially challenging”. It submits that “with average cruise durations around the 8 day range, this would require a cruise operator to commit to a minimum annual deployment period of around 160 days.”¹²

The Applicants consider that it is inconsistent to both claim that it would not be possible to viably operate cruise itineraries from Brisbane on only 3 days per week and that access is required to a minimum of 4 days per week, while also arguing that it is not possible to commit to 20 berthing days over the course of a year.

This inconsistency highlights the perverse outcomes that would result from limiting Carnival’s use of its Foundation Berthing Days to a maximum of 3 days per week. Carnival is the only operator of regular cruises from Brisbane, the only operator that homeports in Brisbane, the only operator that is willing to make a long-term financial commitment to port, and the only operator to have committed to year round cruise services anywhere in Australia. In order to ensure long term access to appropriate cruise terminal facilities in Brisbane, it has made a very substantial financial commitment to the New Cruise Facility and in return has priority berthing rights for 100 days of the year, which can only be exercised on a maximum of 4 days per week.

The anonymous interested party’s assertion that Carnival should only be permitted to use 3 of its Foundation Berthing Days per week would result in reserving more than 50% of terminal capacity for potential entrants which have made no financial commitment to the New Cruise Facility and can provide no indication that they would even utilise the New Cruise Facility at all, let alone for at least 20 days in a year. Such an outcome would serve to distort incentives to invest in important infrastructure like the New Cruise Facility and would have the potential to perversely limit the deployment of cruise itineraries ex-Brisbane. Given the evidence in the sections above, there can be no basis for the application of a condition limiting Carnival’s exercise of its berthing days to 3 days per week.

3.6 The take or pay commitments do not have an anti-competitive purpose

An anonymous third party has submitted that Carnival would have the incentive to game the use of its Foundation Berthing Days for the purpose of preventing new entry into the Brisbane cruise market. Carnival does not have that purpose. But even if it had such a purpose, the limitations it has agreed to mean that it would have no ability to do so.

In fact, if it did want to exclude potential competition, the best course of action would have been not to invest in the New Cruise Facility [**Restriction of publication claimed**].

Finally, the take or pay commitments enable Carnival to continue to operate regular and consistent schedules in Brisbane as it has for a number of years. Carnival’s berthing schedule is planned well in advance of deployment and accommodates a number of brands and broader network decisions. These planned, regular itineraries that Carnival operates for its different brands disprove any suggestion that it will choose its deployment days with the objective of preventing other cruise operators from accessing the New Cruise Terminal. The 4 day per week limit on the use of priority berthing days prevents Carnival from having the ability to block access to the New Cruise Facility. Further, it

¹² Anonymous third party submission, January 2018, p 4

would be irrational for Carnival to alter its successful deployment patterns for this purpose. It therefore has no incentive to do so. The regularity and consistency of Carnival's deployment patterns, combined with the 4 day per week limit on usage, leaves room for other operators to build competitive and viable operations and should give them the comfort they need when planning their own future deployments.

4 Prevention of free riding if a second berth is constructed at the New Cruise Facility

The ACCC has indicated that it is concerned that the proposed first right of refusal over a potential second berth would have the effect of foreclosing competition. The ACCC has, accordingly, proposed to grant authorisation subject to a condition that prohibits the Applicants from giving effect to this aspect of the Agreements.

Carnival wants to ensure that, if a second berth is constructed, it is not left in a position where it has higher costs at the first berth while a competitor is able to benefit from Carnival's initial investment, by paying a lesser take or pay commitment, due to the fact that the costs of the additional berth are less than the initial investment, which also include the development of the landside terminal facility. The first right of refusal was intended to prevent free riding of this sort. Carnival does not consider that a first right of refusal would limit competition.

Nevertheless, to address the ACCC's concern, the Applicants agree to be bound by the condition prohibiting the Applicants from entering into or giving effect to the proposed first right of refusal over a potential second berth.

The Applicants propose an alternative commercial solution to prevent free riding. The Applicants propose to agree to a term whereby Carnival would share the benefit of any lower costs for the second berth through an extension of the existing MFN Clause in clause 22 of the proposed Agreement for Licence.

The Applicants have reached in principle agreement but have not yet amended the Agreement. The proposed amendments are set out in Attachment B, including the deletion of the first right of refusal.

The Applicants consider that, as the MFN Clause would be unlikely to have the effect of a substantial lessening of competition in any market, and does not have that purpose, authorisation of the proposed amendment is not required in order for the Applicants to give it effect. Therefore the Applicants could agree to be bound by the condition and operate the Agreement in accordance with the proposed amendments. However, it would also be open for the ACCC to grant authorisation for the Agreements as amended if it considered it appropriate to do so.

5 Other matters

The Applicants make the following observations in relation to the ACCC's factual conclusions as set out in the Draft Determination. While it is understood these facts may not be determinative of the matter of authorisation, we consider this clarification will assist the ACCC in the preparation of its Final Determination.

5.1 Continuing operation of Portside

The ACCC has concluded that a benefit of the Proposed Transaction will be short term terminal competition within Brisbane, between the New Cruise Facility and Portside. It has also found, however, that the most likely outcome may be that Portside will cease to

operate as a dedicated cruise terminal facility if Carnival moves its usage to the New Cruise Facility.

The Applicants agree with the ACCC's conclusion that, even if Portside ceases to operate as a cruise terminal as a result of Carnival switching to the New Cruise Facility, the Proposed Development will result in significant net public benefits.

Moreover, as previously submitted, the switching of usage to a more efficient terminal is pro-competitive, even if the existing terminal cannot compete with the new more efficient terminal. The New Cruise Facility will increase competition in Brisbane with ships over 270 m, which are the only type of ship that Carnival's competitor, Royal Caribbean, operates in the Australian region.

While Carnival represents the majority of the use of the facility at present, Portside could continue to attract cruise ships under 270m and operate on that basis in competition with the New Cruise Facility. Currently Norwegian Cruise Lines and others use the Portside facility. At least 11 non-Carnival vessels are scheduled to berth at Portside in the 2019 and 2020 cruise seasons, including: Viking Cruises, Norwegian Cruise Lines, Fred Olsen Line, Japan Grace and Silverseas Cruises.

5.2 Likely counterfactual

The ACCC has accepted that the New Cruise Facility would not be developed without a form of long term take or pay commitment. As the above submission sets out, Carnival would not be prepared to make a take or pay commitment where it would receive less certainty of berthing rights than it currently has at Portside, where it makes no commitment.

In the event that the New Cruise Facility was not constructed, the ACCC has concluded that the status quo would apply: Portside would continue to operate and the MUT would continue to allow cruise ships over 270m to berth at that facility, although homeporting would not be accommodated. PBPL notes that it is under significant pressure to utilise the MUT for other uses which are more appropriate to the facility's purpose and more commercially advantageous, that is, facilitating grain and other cargo movements. Utilising the MUT for cruise ship operations is also problematic as the MUT is in a cargo precinct and does not provide appropriate permanent infrastructure and services for cruise passengers. For these reasons, PBPL submits that, in the counterfactual, the MUT may not be available for any cruises ships (other than in emergency circumstances).

6 Anonymous third party submissions

The ACCC received two anonymous submissions in response to the Proposed Development, dated 29 January and 12 February, which were placed on the public register shortly prior to the issue of the Draft Determination.

The Applicants have previously made submissions regarding the limited weight that should be given to submissions in a public authorisation process where confidentiality is claimed over the identity of the party making submissions. In the circumstances of the Proposed Development, there can be no justifiable reason for the identity of these Applicants to be withheld. This makes it more difficult for the Applicants to assess and respond to their claims.

The Applicants have already addressed these submissions to the extent that they were referenced in the Draft Determination. The Applicants do not propose to respond to all elements of these anonymous submissions, but make the following observations:

6.1 Proposed Development will enable potential cruise operators to operate in Brisbane and does not serve to entrench Carnival’s market position

The Anonymous submission dated 29 January 2018 asserts that the proposed take or pay arrangement “will unjustifiably create a monopoly that will lock out the growth and economic benefits that would otherwise flow from effective competition in the Brisbane cruise market.”¹³ This is incorrect. As the same submission notes, the New Cruise Facility will be the only terminal within Brisbane and surrounds which can accommodate mega cruise vessels. Currently, Carnival is the only operator that does not exclusively deploy mega cruise vessels within Australia and therefore the only operator to regularly operate cruises ex-Brisbane.

The New Cruise Facility will fundamentally change this, enabling any cruise operator to access berth slots on a minimum of 3 days per week including throughout the peak cruise season, without requiring any commitment from that cruise operator. Far from creating a monopoly, it will open Brisbane to competition. Whether cruise operators decide to take up this opportunity is another matter. It is notable that, in the same submission, it is said that potential entrants would be unable to commit to 20 berthing days per annum, while at the same time arguing that the availability of an additional 156 berthing days per annum is insufficient to support new entry.

The reasons why the anonymous submitter’s proposed condition is inappropriate are set out in section 4 above.

Similarly, in an anonymous submission dated 29 January 2018, a third party argues that, Carnival’s position as the only operator which operates in Brisbane affords it advantages by being able to secure consistent and consecutive bookings. It does follow that if no other cruise companies choose to operate services, Carnival does not have to compete for access to berth days and therefore is able to secure the days it wants. However, it does not follow, as is argued, that the take or pay commitments would serve to entrench its position as, unlike in the status quo, there will be significant available capacity that can be utilised by other operators who cannot utilise Portside due to the size of their vessels.

6.2 Proposed condition restricting take or pay commitments to vessels over 270m is unworkable and would significantly impede the commercial freedom of the Applicants

In its anonymous submission of 29 January 2018, a third party has suggested that the Proposed Development should only be authorised subject to the condition that Carnival’s priority berthing rights only apply to ships over 270m which cannot berth at Portside. This suggestion is entirely unworkable and would significantly distort the incentives of the Applicants to invest in the Proposed Development, undermine the prospects of commercial success for the New Cruise Facility and interfere with the Applicants’ freedom to make commercial decisions, subject to the Competition and Consumer Act.

Carnival has made the decision to invest in the Proposed Development of the New Cruise Facility and to switch its usage to this new facility, which provides operational efficiencies, security for future operations and enables it to bring larger ships into Brisbane.

As the ACCC has concluded, the Proposed Development will result in significant public benefits that outweigh any detriments, even if Portside ceases to operate. It is inherently

¹³ Anonymous submission, 12 February 2018, p 5.

pro-competitive for a user of facilities to decide to switch its usage to a more efficient alternative.

6.3 The Proposed Development is not likely to proceed regardless of the Agreements

The anonymous submission dated 29 January 2018 argues that the Proposed Development is likely to proceed with or without authorisation of the Agreements, including the take or pay arrangement. That is not correct. As the ACCC has accepted, it is not likely that PBPL will develop the New Cruise Facility without a long term take or pay commitment from one or more of its customers.

The anonymous third party submits that the fact that preliminary works have commenced at the site is evidence that the Proposed Development will proceed regardless. This is incorrect. PBPL has commenced surcharging of the site due to the window of availability of dredging equipment and in order to keep to its development timeline. However, the work that has commenced is general surcharging work and does not involve any construction specific to a cruise terminal. This work can support any number of projects, including the addition of another commercial wharf. If the commercial arrangements are not authorised on commercially acceptable conditions, PBPL will not proceed with the Proposed Development. Carnival's commitment provides the level of revenue certainty required by PBPL in order to underwrite the construction of the Proposed Development (thereby making the operation of the New Cruise Facility possible).

7 The Proposed Development is inherently pro-competitive

The Proposed Development is inherently pro-competitive as it opens up the Brisbane cruise market to competition by providing common user access to a new and more efficient facility which is capable of being used by ships over 270m which cannot currently berth in Brisbane. The New Cruise Facility will not be likely to be built without the significant financial support of a core user like Carnival. Carnival's very substantial commitment of **[Restriction of publication claimed]** per annum per year for a minimum term of 15 years services reduces the risk of the Proposed Development to an acceptable level for PBPL. Carnival's right to 100 Foundation Berthing Days, limited to 4 per week, is entirely proportionate to this investment and necessary in order to give effect to Carnival's existing and future year round schedules.

The availability of a minimum of 3 days per week to potential competitors means that the take or pay obligations as commercially agreed cannot have the impact of foreclosing competition.

As the ACCC has concluded, the Proposed Development will result in significant net public benefits.

The Applicants welcome the ACCC's Draft Determination to authorise the Proposed Development for a period of 18 years and agree to comply with its condition not to give effect to the first right of refusal over a second berth. For the reasons set out in this submission, the Applicants submit that it would be inappropriate and unnecessary to require any further conditions on authorisation.

Attachment A: Brisbane historical berth utilisation by day of the week*

#Calls Brand	Weekday	Season																	
		2002/3	2003/4	W	2004/5	W	2005/6	W	2006/7	W	2007/8	W	2008/9	W	2009/10	W	2010/11	W	2011/12
Base Home	Australia/NZ BNE																		
P&O Cruises	Sun				1												5	4	5
	Mon			1			2		1	1	1	1	1		1		2	1	1
	Tue					1			1		1								1
	Wed			1	1		2		3	1			2	1	3			2	1
	Thu					1	3		1		2		1		1		1		1
	Fri																		
	Sat			1	15	3	12	7	23	7	21	6	24	6	21	17	22	16	22
P&O Cruises Princess	Sun			3	17	5	19	8	28	9	25	7	26	8	24	20	30	23	30
	Mon																		2
	Tue																	1	
	Wed																		7
	Thu												1						1
	Fri																		
	Sat													1					10
Princess Total														1				1	10
RCI	Sun																		
	Mon																		
	Tue																		
	Wed																		
	Thu																		
	Fri																		
RCI Total																			
Star Cruises	Tue					2													
	Wed					1													
	Thu					1													
	Fri		1																
	Sat					1													
Star Cruises			1		5														
Grand Total		1	5	3	17	5	19	8	28	9	25	7	26	8	25	20	30	24	40

*reflects berths by homeported vessels and excludes transit calls.

Attachment B: Draft proposed amendments to MFN clause

[Restriction of publication claimed]

Attachment C: Cruising schedules¹⁴

7.1 Schedule 1: 2015 Sydney deployments: dates (length) of deployment

	Carnival Corporation Lines				Royal Caribbean Corporation Lines	
	P&O (Aus)	Princess	Carnival Cruise	Holland America	RCI	Celebrity
	For all cruises: departure dates (number of nights cruising)					
January	Fri 9 th (9), Sat 10 th (9), Sun 18 th (7), Mon 19 th (5), Sat 24 th (3), Sun 25 th (3), Tues 27 th (10), Wed 28 th (14)	Fri 2 nd (8), Sat 10 th (12), Sun 11 th (13), Sat 24 th (14)	Mon 5 th (10), Wed 7 th (12), Thu 15 th (8), Mon 19 th (10), Fri 23 rd (12), Thu 29 th (10)	Fri 2 nd (14), Fri 16 th (14), Fri 30 th (14)	Sun 4 th (9), Thu 8 th (9), Mon 12 th (10), Tue 13 th (7), Sat 17 th (11), Tue 20 th (11), Thu 22 nd (3), Sun 25 th (11), Wed 28 th (10), Sat 31 st (12)	Sat 3 rd (8), Sun 11 th (14), Sun 18 th (9), Tue 27 th (12)
February	Fri 6 th (4), Tues 10 th (11), Wed 11 th (4), Sun 15 th (4), Thu 19 th (2), Sun 21 st (8)	Tue 3 rd (12), Sat 7 th (13), Fri 20 th (14), Fri 27 th (28)	Wed 4 th (9), Sun 8 th (10), Fri 13 th (10), Wed 18 th (12), Mon 23 rd (11)	Fri 13 th (11)	Thu 5 th (14), Sat 7 th (10), Thu 12 th (14), Tue 17 th (11), Thu 19 th (3), Sun 22 nd (11), Thu 26 th (33), Sat 28 th (8)	
March	Sun 1 st (4), Thu 5 th (7), Thu 12 th (4), Mon 16 th (4), Fri 20 th (3), Mon 23 rd (10)	Fri 6 th (13), Thu 19 th (13), Tue 24 th (17), Fri 27 th (19)	Mon 2 nd (8), Fri 6 th (9), Tue 10 th (8), Sun 15 th (11), Wed 18 th (12), Thu 26 th (10), Mon 30 th (10)	Sun 8 th (14), Sun 22 nd (14)	Thu 5 th (11), Sun 8 th (12), Mon 16 th (16), Fri 20 th (9), Sun 29 th (8), Tue 31 st (12)	Sat 14 th (8), Sun 22 nd (12)
April	Thu 2 nd (4)	Wed 1 st (13), Tue 14 th (15), Fri 17 th (35), Wed 29 th (42)	Sun 5 th (11), Thu 9 th (12), Thu 16 th (4), Tue 21 st (8), Wed 29 th (9)	Sun 5 th (14)	Mon 6 th (11), Sun 12 th (7)	
May		Fri 22 nd (104)	Fri 8 th (11), Tue 19 th (8), Wed 27 th (9)			
June	Wed 10 th (10), Sat 20 th (3), Tue 23 rd (4), Sat 27 th (9)	Wed 10 th (10), Sat 20 th (14), Tue 23 rd (15)	Fri 5 th (3), Mon 8 th (10), Thu 18 th (12), Tue 30 th (8)			
July	Mon 6 th (10), Thu 16 th (4), Mon 20 th (14)	Sat 4 th (10), Wed 8 th (17), Tue 14 th (35)	Wed 8 th (9), Fri 17 th (8), Sat 25 th (7)			

¹⁴ This Attachment was also provided in the Applicants' Submission in response to anonymous summaries of confidential interested party submissions (19 December 2017).

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August	Sat 15 th (4), Wed 19 th (4), Sun 23 rd (12), Tue 25 th (9)	Tue 18 th (2)	Sat 1 st (15), Sun 30 th (15)			
September	Thu 3 rd (4), Fri 4 th (3), Mon 7 th (10), Thu 17 th (3, 4), Sun 20 th (10), Mon 21 st (9), Wed 30 th (4, 9)	Fri 4 th (17), Sun 6 th (12), Fri 18 th (35), Tue 29 th (13)	Mon 14 th (11), Fri 25 th (11)			
October	Sun 4 th (4), Thu 8 th (16), Fri 9 th (3), Mon 12 th (10), Thu 22 nd (9), Sat 24 th (7), Sat 31 st (6)	Mon 12 th (10), Sun 18 th (10), Thu 22 nd (33), Fri 23 rd (6), Wed 28 th (2), Thu 29 th (13)	Tue 6 th (8), Wed 14 th (9), Thu 15 th (11), Fri 23 rd (7), Mon 26 th (9), Fri 30 th (8)	Mon 19 th (33), Sun 25 th (14)		Wed 21 st (12)
November	Fri 6 th (3, 4), Mon 9 th (11), Tue 10 th (9), Thu 19 th (4), Fri 0 th (3), Mon 23 rd (3, 4), Wed 25 th (2, 9), Thu 26 th (13), Fri 27 th (3), Mon 30 th (8)	Wed 11 th (13), Tue 24 th (13, 14)	Wed 4 th (8), Sat 7 th (10), Thu 12 th (9), Tue 17 th (10), Sat 21 st (10), Fri 27 th (12)	Sun 22 nd (13)	Sun 1 st (32), Thu 5 th (13), Wed 18 th (10), Sat 28 th (7), Sun 29 th (3)	Mon 2 nd (12), Thu 26 th (8)
December	Fri 4 th (3), Mon 7 th (9), Tue 8 th (2), Wed 9 th (4), Sun 13 th (4), Wed 16 th (12), Thu 17 th (10), Sun 27 th (12), Mon 28 th (12),	Mon 7 th (14), Tue 8 th (13), Mon 21 st (13)	Tue 1 st (11), Wed 9 th (10), Sat 12 th (8), Sat 19 th (8), Sun 20 th (10), Sun 27 th (8), Wed 20 th (10)	Sat 5 th (12), Thu 17 th (16)	Wed 2 nd (14), Thu 3 rd (8), Sat 5 th (13), Fri 11 th (4), Tue 15 th (11), Wed 16 th (8), Fri 18 th (11), Thu 24 th (13), Sat 26 th (12), Tue 29 th (10)	Fri 4 th (12), Mon 28 th (8)

7.2 Schedule 2: 2016 Sydney deployments

	Carnival Corporation Lines				Royal Caribbean Corporation Lines	
	P&O (Aus)	Princess	Carnival Cruise	Holland America	RCI	Celebrity
For all cruises: departure dates (number of nights cruising)						
January	Fri 8 th (3), Sat 9 th (8), Mon 11 th (8), Sun 17 th (4), Tue 19 th (5), Thu 21 st (4), Sun 24 th (3), Mon 25 th (3), Wed 27 th (4), Thu 28 th (4), Sun 31 st (4)	Sun 3 rd (8, 13), Mon 11 th (12), Sat 16 th (13), Sat 23 rd (12), Fri 29 th (12)	Mon 4 th (10), Sat 9 th (9), Thu 14 th (10), Mon 18 th (9), Sun 24 th (5), Wed 27 th (10), Fri 29 th (5)	Sat 2 nd (13), Fri 15 th (15), Sat 30 th (14)	Wed 6 th (11), Thu 7 th (12), Fri 8 th (14), Sun 17 th (11), Tue 19 th (12), Fri 22 nd (8), Thu 28 th (14), Sat 30 th (10), Sun 31 st (8)	Tue 5 th (14)
February	Mon 1 st (7), Mon 8 th (3), Thu 11 th (3), Sun 14 th (2), Mon 15 th (11), Fri 26 th (3), Mon 29 th (4)	Thu 4 th (12), Wed 10 th (14), Tue 16 th (15), Wed 24 th (14), Sun 28 th (42)	Wed 3 rd (9), Sat 6 th (11), Fri 12 th (11), Wed 17 th (9), Tue 23 rd (8), Fri 26 th (10)	Sat 27 th (14)	Mon 8 th (10), Tue 9 th (10), Thu 11 th (3), Sun 14 th (10), Thu 18 th (7), Fri 19 th (8), Wed 24 th (11), Thu 25 th (32), Sat 27 th (7)	Tue 2 nd (12)
March	Fri 4 th (4), Tue 8 th (9), Thu 17 th (7), Thu 24 th (4), Mon 28 th (4)	Wed 9 th (29), Wed 16 th (7), Wed 23 rd (19)	Wed 2 nd (12), Mon 7 th (8), Mon 14 th (10), Tue 15 th (11), Thu 24 th (3), Sat 26 th (10), Sun 27 th (11)	Sat 12 th (13), Fri 25 th (14)	Sat 5 th (8), Sun 6 th (11), Sun 13 th (12), Thu 17 th (4), Mon 21 st (9), Fri 25 th (10), Mon 28 th (6), Wed 30 th (13)	Sun 20 th (12)

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April	Fri 1 st (3), Mon 4 th (4), Fri 8 th (10), Thu 14 th (9), Mon 18 th (4), Fri 22 nd (4), Sat 23 rd (3), Tue 26 th (9, 10)	Wed 6 th (21), Thu 7 th (13), Sun 10 th (35), Wed 20 th (15)	Tue 5 th (5), Thu 7 th (8), Sun 10 th (8), Fri 15 th (10), Mon 25 th (8)		Mon 4 th (12), Tue 12 th (11), Sat 16 th (14),	Fri 1 st (8)
May	Thu 5 th (4), Fri 6 th (3), Mon 9 th (7, 10), Mon 16 th (11), Thu 19 th (4), Mon 23 rd (11), Fri 27 th (14)	Thu 5 th (14), Sun 15 th (104), Wed 18 th (14), Thu 19 th (15)	Tue 3 rd (4), Sat 7 th (4), Wed 11 th (12), Mon 23 rd (10)			

7.1 Schedule 3: 2017 Sydney deployments

	Carnival Corporation Lines				Royal Caribbean Corporation Lines		Norwegian Cruise Line
	P&O (Aus)	Princess	Carnival Cruise	Holland America	RCI	Celebrity	
	For all cruises: departure dates (number of nights cruising)						
January	Sun 8 th (3), Mon 9 th (4), Wed 11 th (8), Fri 13 th (4), Tue 17 th (8), Thu 19 th (5), Tue 24 th (3), Wed 25 th (3), Fri 27 th (3), Sat 28 th (5), Mon 30 th (4)	Mon 2 nd (8), Tue 3 rd (13), Tue 10 th (11), Wed 11 th (84), Mon 16 th (13), Sat 21 st (11), Sun 29 th (7)	Sat 7 th (10), Sun 8 th (8), Mon 16 th (8), Tue 17 th (10), Tue 24 th (5), Fri 27 th (3), Sun 29 th (9), Mon 30 th (4)	Wed 4 th (14), Sun 15 th (14), Wed 18 th (13), Tue 31 st (14)	Tue 3 rd (10), Thu 5 th (14), Fri 6 th (14), Mon 9 th (14), Fri 13 th (12), Thu 19 th (12), Fri 20 th (8), Mon 23 rd (5), Wed 25 th (10), Sat 28 th (12), Tue 31 st (12)	Wed 4 th (8), Thu 12 th (12)	
February	Thu 2 nd (8), Wed 8 th (8), Fri 10 th (3), Mon 13 th (2), Thu 16 th (4), Mon 20 th (7), Mon 27 th (14)	Wed 1 st (12), Sun 5 th (13), Mon 13 th (11), Sat 18 th (13), Fri 24 th (11)	Fri 3 rd (8), Tue 7 th (8), Sat 11 th (12), Wed 15 th (9), Thu 23 rd (5), Fri 24 th (3), Mon 27 th (10), Tue 28 th (8)	Tue 28 th (14)	Sat 4 th (10), Thu 9 th (8, 16), Sun 12 th (9), Tue 14 th (8), Fri 17 th (3), Mon 20 th (14), Tue 21 st (12), Wed 22 nd (10)	Sun 5 th (12)	Mon 6 th (12)
March	Mon 13 th (4), Fri 17 th (3), Mon 20 th (11), Fri 31 st (3),	Fri 3 rd (13), Tue 7 th (29), Thu 16 th (42), Sat 18 th (13), Fri 31 st (12)	Wed 8 th (12), Thu 9 th (3), Sun 12 th (9), Mon 20 th (7), Tue 21 st (8), Mon 27 th (5), Wed 29 th (9)	Tue 14 th (12)	Sat 4 th (12), Sun 5 th (10), Tue 14 th (14), Wed 15 th (11), Thu 16 th (3), Sun 19 th (11), Sun 26 th (11), Tue 28 th (13), Thu 30 th (10)	Wed 1 st (12), Mon 13 th (12), Sat 25 th (9)	
April	Mon 3 rd (4), Fri 7 th (3), Mon 10 th (10), Thu 20 th (4), Mon 24 th (10)	Wed 5 th (10, 20), Sat 15 th (35), Fri 21 st (13), Tue 25 th (12), Thu 27 th (17)	Fri 7 th (7), Fri 14 th (3), Mon 17 th (8), Tue 25 th (10)		Thu 6 th (13), Sun 9 th (13), Mon 10 th (8), Wed 19 th (14)	Mon 3 rd (10), Thu 13 th (7)	
May	Thu 4 th (4), Mon 8 th (10), Thu 18 th (4), Mon 22 nd (4), Fri 26 th (7)	Thu 4 th (15), Sun 7 th (14), Fri 19 th (75), Sat 20 th (104), Sun 21 st	Fri 5 th (4), Tue 9 th (8), Wed 17 th (8), Thu 25 th (10)				

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		(15)					
June	Fri 2 nd (3), Mon 5 th (8), Tue 13 th (6), Mon 19 th (10), Thu 22 nd (10), Thu 29 th (4)	Mon 5 th (12), Sat 17 th (12), Thu 29 th (17)	Sun 4 th (9), Tue 13 th (10), Fri 23 rd (8)				
July	Sun 2 nd (8), Mon 3 rd (9), Mon 10 th (10), Wed 12 th (10), Thu 20 th (8), Sat 22 nd (12), Fri 28 th (3), Mon 31 st (4)		Sat 1 st (9), Mon 10 th (7), Mon 17 th (10), Thu 27 th (10)				
August	Thu 3 rd (14), Fri 4 th (3), Mon 7 th (12), Thu 17 th (8), Sat 19 th (7), Fri 25 th (3), Sat 26 th (4), Mon 28 th (4), Wed 30 th (10)	Wed 2 nd (35)	Sun 6 th (11), Thu 17 th (4), Mon 21 st (12)				
September	Sat 9 th (8), Sun 17 th (4), Thu 21 st (3), Sun 24 th (10)	Sat 2 nd (17), Wed 6 th (15), Thu 21 st (11)	Sat 2 nd (10), Tue 12 th (10), Fri 22 nd (3), Mon 25 th (10)				
October	Wed 4 th (8), Thu 12 th (16), Sat 28 th (3), Tue 31 st (4)	Mon 2 nd (13), Sun 8 th (28), Sun 15 th (10), Wed 25 th (7)	Thu 5 th (4), Mon 9 th (8), Tue 10 th (8), Tue 17 th (11), Wed 18 th (8), Thu 26 th (8), Sat 28 th (8)	Sat 21 st (32), Sun 22 nd (15)	Sun 8 th (10), Wed 18 th (10), Sat 28 th (10), Sun 29 th (11)	Fri 20 th (2), Sun 22 nd (8), Mon 30 th (12)	
November	Sat 4 th (6), Fri 10 th (3, 4), Mon 13 th (3, 4), Tue 14 th (2), Thu 16 th (8), Fri 17 th (3), Mon 20 th (10), Fri 24 th (3), Mon 27 th (4), Thu 30 th (4)	Wed 1 st (14), Sun 5 th (6), Sat 11 th (15), Wed 15 th (13), Sun 26 th (13), Tue 28 th (3)	Fri 3 rd (3), Sun 5 th (6), Mon 6 th (8), Sat 11 th (12), Tue 14 th (8), Wed 22 nd (5), Thu 23 rd (9), Mon 27 th (9)	Tue 21 st (15), Wed 22 nd (31)	Tue 7 th (11), Thu 9 th (10), Mon 13 th (8), Sat 18 th (11), Sun 19 th (7), Tue 21 st (10), Sun 26 th (9), Wed 29 th (14)	Sat 25 th (14)	Sun 12 th (5), Fri 17 th (13), Thu 30 th (14)
December	Fri 1 st (6), Mon 4 th (10), Thu 7 th (4), Mon 11 th (4), Thu 14 th (3), Fri 15 th (3), Sun 17 th (10), Mon 18 th (10), Wed 27 th (3), Thu 28 th (12), Sat 30 th (9)	Sat 9 th (13), Mon 11 th (8), Tue 19 th (11), Fri 22 nd (13)	Sat 2 nd (8), Wed 6 th (10), Sun 10 th (8), Sat 16 th (11), Mon 18 th (10), Wed 27 th (10), Thu 28 th (11)	Thu 21 st (15), Sat 23 rd (13)	Fri 1 st (2), Sun 3 rd (9), Tue 5 th (10), Thu 7 th (10), Tue 12 th (8), Wed 13 th (9), Fri 15 th (9), Sun 17 th (12), Wed 20 th (10), Fri 22 nd (12), Sun 24 th (11), Fri 29 th (12), Sat 30 th (14)	Thu 21 st (12)	Thu 14 th (9), Sat 23 rd (13)

7.2 Schedule 4: 2018 Sydney deployments

	Carnival Corporation Lines				Royal Caribbean Corporation Lines		Norwegian Cruise Line
	P&O (Aus)	Princess	Carnival Cruise	Holland America	RCI	Celebrity	
For all cruises: departure dates (number of nights cruising)							
January	Mon 8 th (8), Tue 9 th (4), Sat 13 th (4), Tue 16 th (3), Wed 17 th (5), Fri 19 th (5), Mon 22 nd (3), Wed 24 th (3), Thu 25 th (3), Sat 27 th (6), Sun 28 th (9)	Thu 4 th (13), Thu 11 th (14), Wed 17 th (13), Thu 25 th (12), Tue 30 th (14)	Sat 6 th (9), Mon 8 th (8), Mon 15 th (9), Tue 16 th (12), Wed 24 th (8), Sun 28 th (10)	Fri 5 th (13, 15), Sat 20 th (12)	Wed 3 rd (14), Thu 4 th (8), Wed 10 th (9), Fri 12 th (8), Sat 13 th (10), Wed 17 th (14), Fri 19 th (8), Sat 20 th (10), Tue 23 rd (10), Sat 27 th (8), Tue 30 th (10), Wed 31 st (13)	Tue 2 nd (12), Sun 14 th (8), Mon 22 nd (12)	Fri 5 th (16), Sun 21 st (10)
February	Fri 2 nd (3), Mon 5 th (4), Tue 6 th (3), Fri 9 th (3), Mon 12 th (10), Thu 22 nd (4), Mon 26 th (4)	Tue 6 th (12), Tue 13 th (6), Mon 19 th (13)	Thu 1 st (5), Wed 7 th (10), Sat 17 th (12)	Thu 1 st (14)	Fri 2 nd (3), Sun 4 th (14), Mon 5 th (10), Fri 9 th (3), Mon 12 th (9), Tue 13 th (16), Thu 15 th (10), Sun 18 th (8), Wed 21 st (12), Sun 25 th (14), Mon 26 th (10)	Sat 3 rd (14)	Sat 10 th (10)
March	Fri 2 nd (3), Mon 5 th (10), Thu 15 th (3), Sat 17 th (4), Sun 18 th (4), Thu 22 nd (4), Mon 26 th (5), Sat 31 st (3)	Fri 2 nd (8), Sun 4 th (13), Sat 10 th (12), Wed 14 th (10), Sat 17 th (13), Thu 22 nd (23), Sat 24 th (28), Fri 30 th (13)	Thu 1 st (5), Tue 6 th (11), Sat 17 th (8), Sat 24 th (10), Sun 25 th (10)	Thu 1 st (14), Thu 15 th (13), Wed 28 th (16)	Thu 1 st (17), Mon 5 th (7), Thu 8 th (5), Sun 11 th (9), Mon 12 th (7), Tue 13 th (10), Sun 18 th (11), Mon 19 th (9), Tue 20 th (7), Fri 23 rd (3), Mon 26 th (14), Tue 27 th (9), Wed 28 th (11), Thu 29 th (8)	Wed 21 st (9), Fri 30 th (12)	
April	Tue 3 rd (9), Thu 12 th (4), Fri 13 th (3), Mon 16 th (8, 10), Tue 24 th (10), Thu 26 th (4), Mon 30 th (10)	Thu 12 th (14), Sat 21 st (10), Thu 26 th (17)	Tue 3 rd (18), Wed 4 th (9), Fri 13 th (8), Sat 21 st (8), Sun 29 th (4)		Thu 5 th (11), Fri 6 th (11), Sun 8 th (7), Sun 15 th (7), Mon 16 th (14)		
May	Fri 4 th (3), Mon 7 th (8), Thu 10 th (4), Mon 14 th (10), Tue 15 th (4), Sat 19 th (3), Tue 22 nd (10), Thu 24 th (8)	Tue 1 st (35)	Thu 3 rd (19)				
June	Fri 1 st (3, 7), Mon 4 th (10), Fri 8 th (3), Mon 11 th (9), Thu 14 th (3), Sun 17 th (6), Wed 20 th (4), Sat 23 rd (3), Sun 24 th (12), Tue 26 th (8)	Tue 5 th (106)	Mon 25 th (10)				
July	Wed 4 th (9), Fri 6 th (3), Mon 9 th (10), Fri 13 th (3), Mon		Thu 5 th (3), Sun 8 th (8), Mon 16 th (8),				

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	16 th (7), Thu 19 th (4), Mon 23 rd (4, 10)		Tue 24 th (9)				
August	Thu 2 nd (7), Thu 9 th (4), Mon 13 th (8), Tue 21 st (10), Fri 31 st (8)		Thu 2 nd (4), Mon 6 th (10), Thu 16 th (4), Mon 20 th (10), Thu 30 th (8)				
September	Sat 8 th (3), Mon 10 th (4), Tue 11 th (10), Fri 14 th (4), Tue 18 th (10), Fri 21 st (3), Mon 24 th (10), Fri 28 th (4)	Sat 15 th (12), Thu 20 th (10), Thu 27 th (13), Sun 30 th (28)	Fri 7 th (3), Mon 10 th (11), Fri 21 st (8), Sat 29 th (8)				
October	Tue 2 nd (8), Thu 4 th (4), Mon 8 th (10), Wed 10 th (9), Thu 18 th (16), Fri 19 th (3), Mon 22 nd (4), Fri 26 th (8)	Wed 10 th (13), Mon 22 nd (3), Sun 28 th (13)	Sun 7 th (7), Sat 13 th (11), Sun 14 th (4), Thu 18 th (8), Wed 24 th (8), Fri 26 th (9)	Sun 21 st (32), Tue 23 rd (33), Fri 26 th (15)	Sat 6 th (3), Tue 9 th (7), Tue 16 th (5), Sun 21 st (7), Sat 27 th (11), Sun 28 th (9)	Sat 20 th (9), Mon 29 th (10)	
November	Sat 3 rd (6), Fri 9 th (3, 4), Mon 12 th (4), Tue 13 th (10), Fri 16 th (3), Mon 19 th (5), Fri 23 rd (3), Sat 24 th (13), Mon 26 th (9)	Mon 5 th (13), Sat 10 th (12), Sun 18 th (6), Tue 20 th (13), Thu 22 nd (3), Sat 24 th (12)	Thu 1 st (12), Sun 4 th (6), Sat 10 th (9), Mon 19 th (10), Thu 29 th (8), Fri 30 th (9)	Thu 22 nd (31), Mon 26 th (15)	Fri 2 nd (12), Tue 6 th (15), Wed 7 th (9), Wed 14 th (9), Fri 16 th (11), Wed 21 st (10), Fri 23 rd (5), Tue 27 th (11), Wed 28 th (14)	Thu 8 th (12)	
December	Wed 5 th (4), Fri 7 th (3), Sun 9 th (5), Mon 10 th (4), Fri 14 th (3, 4), Mon 17 th (10), Tue 18 th (10), Thu 27 th (3), Fri 28 th (12), Sun 30 th (9)	Mon 3 rd (13), Thu 6 th (12), Sun 16 th (7), Sun 23 rd (13), Sun 30 th (13)	Fri 7 th (3), Sun 9 th (8), Mon 10 th (9), Wed 19 th (9), Thu 27 th (12), Fri 28 th (10)	Sun 23 rd (13), Wed 26 th (15)	Sat 8 th (10), Tue 11 th (10), Wed 12 th (10), Tue 18 th (11), Fri 21 st (12), Sat 22 nd (12), Sat 29 th (8)	Sun 2 nd (11), Sun 23 rd (12)	Sat 1 st (12), Thu 13 th (7), Thu 20 th (16)

7.3 Schedule 5: 2015 Brisbane deployments

	Carnival Corporation Lines		Royal Caribbean Corporation Line
	P&O (Aus)	Princess	RCI
	For all cruises: departure dates (number of nights cruising)		
January	Sat 10 th (7), Sat 17 th (7), Sat 24 th (4), Wed 28 th (3), Sat 31 st (7)	Tue 13 th (14), Tue 27 th (14)	
February	Sat 7 th (7), Sat 14 th (14), Sat 28 th (7)	Tue 10 th (11), Sat 21 st (11)	
March	Sat 7 th (3), Tue 10 th (4), Sat 14 th (7), Sat 21 st (7), Sat 28 th (7)	Wed 4 th (14), Wed 18 th (14)	
April	Sat 4 th (7), Sat 11 th (7), Sat 18 th (12), Thu 30 th (9)	Wed 1 st (14), Wed 15 th (2)	
May	Sat 9 th (7), Sat 16 th (7), Sat 23 rd (7), Sat 30 th (3)		
June	Tue 2 nd (4), Sat 6 th (7), Sat 13 th (3), Tue 16 th (11), Sun 21 st (7), Sat 27 th (7), Sun 28 th (7)		
July	Sat 4 th (7), Sun 5 th (7), Sat 11 th (7), Sun 12 th (7), Sat 18 th (7), Sun 19 th (7), Sat 25 th (7), Sun 26 th (7)		
August	Sat 1 st (7), Sun 2 nd (7), Sat 8 th (3), Sun 9 th (7), Tue 11 th (11), Sun 16 th (7), Sat 22 nd (7), Sun 23 rd (2), Sat 29 th (7)	Thu 20 th (10), Sun 30 th (7)	
September	Sat 5 th (3), Tue 8 th (4), Sat 12 th (7), Sat 19 th (7), Sat 26 th (7)	Sun 6 th (10), Wed 16 th (11), Sun 27 th (7)	
October	Sat 3 rd (4), Wed 7 th (10), Sat 17 th (7), Sat 24 th (7), Sat 31 st (7)	Sun 4 th (7), Sun 11 th (14), Sun 25 th (15)	
November	Sat 7 th (10), Tue 17 th (4), Sat 21 st (7), Fri 27 th (3), Sat 28 th (7), Mon 30 th (7)	Fri 13 th (11), Tue 24 th (10)	
December	Sat 5 th (7), Sat 12 th (7), Thu 17 th (10), Sat 19 th (9), Sun 27 th (7), Mon 28 th (9)	Fri 4 th (14), Fri 18 th (11), Tue 29 th (14)	Tue 8 th (2), Thu 10 th (10), Sun 20 th (10), Wed 30 th (11)

7.4 Schedule 6: 2016 Brisbane deployments

	Carnival Corporation Lines		Royal Caribbean Corporation Line
	P&O (Aus)	Princess	RCI
	For all cruises: departure dates (number of nights cruising)		
January	Sun 3 rd (12), Wed 6 th (3), Sat 9 th (7), Fri 15 th (9), Sat 16 th (7), Sat 23 rd (4), Sun 24 th (5), Wed 27 th (3), Fri 29 th (3), Sat 30 th (7)	Tue 12 th (10), Fri 22 nd (14)	Sun 10 th (7), Sun 17 th (8), Mon 25 th (14)
February	Mon 1 st (11), Sat 6 th (7), Fri 12 th (4), Sat 13 th (7), Tue 16 th (13), Sat 20 th (7), Sat 27 th (7), Sat 27 th (7), Mon 29 th (4)	Fri 5 th (14), Fri 19 th (7), Fri 26 th (2)	Mon 8 th (10), Thu 18 th (8), Fri 26 th (9)
March	Fri 4 th (14), Sat 5 th (3), Tue 8 th (4), Sat 12 th (7), Fri 18 th (3), Sat 19 th (7), Mon 21 st (7), Sat 26 th (7), Mon 28 th (4)		Sun 6 th (7), Sun 13 th (11), Thu 24 th (10)
April	Fri 1 st (4), Sat 2 nd (7), Tue 5 th (7), Sat 9 th (7), Tue 12 th (2), Sat 16 th (12), Thu 28 th (9)		Sun 3 rd (8), Mon 11 th (9), Wed 20 th (18)
May	Sat 7 th (7), Sat 14 th (7), Sat 21 st (3), Tue 24 th (4), Sat 28 th (7)		
June	Sat 4 th (7), Sat 11 th (3), Tue 14 th (11), Sun 19 th (7), Sat 25 th (7), Sun 26 th (7)		
July	Sat 2 nd (7), Sun 3 rd (7), Sat 9 th (7), Sun 10 th (12), Sat 16 th (7), Fri 22 nd (7), Sat 23 rd (7), Fri 29 th (10), Sat 30 th (7)		
August	Sat 6 th (7), Mon 8 th (7), Sat 13 th (3), Mon 15 th (18), Tue 16 th (11), Sat 27 th (7)		
September	Fri 2 nd (7), Sat 3 rd (7), Fri 9 th (7), Sat 10 th (3), Tue 13 th (4), Fri 16 th (7), Sat 17 th (7), Fri 23 rd (7), Sat 24 th (7), Fri 30 th (3)		
October	Sat 1 st (7), Mon 3 rd (10), Sat 8 th (4), Wed 12 th (10), Thu 13 th (4), Mon 17 th (4), Fri 21 st (7), Sat 22 nd (7), Fri 28 th (3), Sat 29 th (7), Mon 31 st (10)	Wed 26 th (14)	
November	Sat 5 th (7), Thu 10 th (4), Sat 12 th (7), Mon 14 th (14), Sat 19 th (7), Sat 26 th (3), Mon 28 th (11), Tue 29 th (4)	Wed 9 th (11), Sun 20 th (7), Sun 27 th (14)	Mon 21 st (11)
December	Sat 3 rd (7), Fri 9 th (7), Sat 10 th (7), Fri 16 th (3), Sat 17 th (3), Mon 19 th (10), Tue 20 th (7), Tue 27 th (11), Thu 29 th (7)	Sun 11 th (7), Sun 18 th (10), Wed 28 th (11)	Fri 2 nd (3), Mon 5 th (8), Tue 13 th (9), Thu 22 nd (8), Fri 30 th (7)

7.5 Schedule 7: 2017 Brisbane deployments

	Carnival Corporation Lines		Royal Caribbean Corporation Line
	P&O (Aus)	Princess	RCI
	For all cruises: departure dates (number of nights cruising)		
January	Thu 5 th (7), Sat 7 th (7), Thu 12 th (4), Sat 14 th (7), Mon 16 th (11), Sat 21 st (3), Tue 24 th (4), Fri 27 th (7), Sat 28 th (7)	Sun 8 th (3), Sun 22 nd (11)	Fri 6 th (9), Sun 15 th (14), Sun 29 th (10)
February	Fri 3 rd (7), Sat 4 th (14), Fri 10 th (14), Fri 24 th (3), Mon 27 th (4)	Thu 2 nd (14), Thu 16 th (10), Sun 26 th (7)	Wed 8 th (12), Mon 20 th (18)
March	Fri 3 rd (7), Fri 10 th (7), Thu 16 th (9), Fri 17 th (12), Sat 25 th (3), Tue 28 th (4), Wed 29 th (9)	Sun 5 th (2)	
April	Sat 1 st (7), Fri 7 th (7), Sat 8 th (3), Tue 11 th (4), Fri 14 th (7), Sat 15 th (7), Fri 21 st (7), Sat 22 nd (3), Tue 25 th (4), Fri 28 th (3), Sat 29 th (7)		
May	Mon 1 st (4), Fri 5 th (7), Sat 6 th (7), Fri 12 th (7), Sat 13 th (7), Fri 19 th (7), Sat 20 th (3), Tue 23 rd (4), Fri 26 th (14), Sat 27 th (7)		
June	Sat 3 rd (7), Fri 9 th (9), Sat 10 th (3), Tue 13 th (11), Sun 18 th (7), Sat 24 th (7), Sun 25 th (7)		
July	Sat 1 st (3), Sun 2 nd (7), Tue 4 th (4), Sat 8 th (7), Sun 9 th (12), Sat 15 th (7), Fri 21 st (7), Sat 22 nd (7), Fri 28 th (10), Sat 29 th (3)	Mon 31 st (10)	
August	Tue 1 st (4), Sat 5 th (7), Mon 7 th (7), Sat 12 th (7), Mon 14 th (18), Sat 19 th (7), Sat 26 th (3), Tue 29 th (4)	Thu 10 th (10), Sun 20 th (7), Sun 27 th (10)	
September	Fri 1 st (7), Sat 2 nd (7), Fri 8 th (7), Sat 9 th (7), Fri 15 th (7), Sat 16 th (3), Tue 19 th (4), Fri 22 nd (7), Sat 23 rd (7), Fri 29 th (3), Sat 30 th (7)	Wed 6 th (4), Sun 10 th (7), Sun 17 th (7), Sun 24 th (11)	
October	Mon 2 nd (10), Sat 7 th (3), Tue 10 th (4), Thu 12 th (4), Sat 14 th (7), Mon 16 th (11), Sat 21 st (7), Fri 27 th (7), Sat 28 th (7)	Thu 5 th (3)	
November	Fri 3 rd (7), Sat 4 th (7), Fri 10 th (4), Sat 11 th (7), Tue 14 th (10), Sat 18 th (3), Tue 21 st (4), Fri 24 th (7), Sat 25 th (7)		
December	Fri 1 st (7), Sat 2 nd (7), Fri 8 th (7), Sat 9 th (3), Tue 12 th (4), Fri 15 th (3), Sat 16 th (12), Mon 18 th (9), Wed 27 th (9), Thu 28 th (9)	Sun 3 rd (14), Sun 17 th (4), Thu 21 st (14)	

7.6 Schedule 8: 2018 Brisbane deployments

	Carnival Corporation Lines	
	P&O (Aus)	Princess
	For all cruises: departure dates (number of nights cruising)	
January	Fri 5 th (7), Sat 6 th (3), Tue 9 th (4), Fri 12 th (7), Sat 13 th (7), Fri 19 th (4), Sat 20 th (7), Tue 23 rd (6), Sat 27 th (7), Mon 29 th (4)	Thu 4 th (14), Thu 18 th (3), Sun 21 st (14)
February	Fri 2 nd (7), Sat 3 rd (7), Fri 9 th (14), Sat 10 th (3), Tue 13 th (4), Sat 17 th (7), Fri 23 rd (3), Sat 24 th (7), Mon 26 th (4)	Sun 4 th (7), Sun 11 th (14), Sun 25 th (11)
March	Fri 2 nd (7), Sat 3 rd (3), Tue 6 th (4) Fri 9 th (7), Sat 10 th (7), Fri 16 th (14), Sat 17 th (7), Sat 24 th (7), Fri 30 th (7), Sat 31 st (7)	Thu 8 th (4), Mon 12 th (2)
April	Fri 6 th (7), Sat 7 th (7), Fri 13 th (7), Sat 14 th (3), Tue 17 th (4), Fri 20 th (4), Sat 21 st (7), Tue 24 th (10), Sat 28 th (7)	
May	Fri 4 th (6), Sat 5 th (7), Thu 10 th (8), Sat 12 th (3), Tue 15 th (4), Fri 18 th (7), Sat 19 th (7), Fri 25 th (4), Sat 26 th (7), Tue 29 th (10)	
June	Sat 2 nd (7), Fri 8 th (9), Sat 9 th (3), Tue 12 th (4), Sat 16 th (7), Sun 17 th (12), Sat 23 ^d (7), Fri 29 th (7), Sat 30 th (7)	
July	Fri 6 th (7), Sat 7 th (3), Tue 10 th (4), Fri 13 th (7), Sat 14 th (7), Fri 20 th (14), Sat 21 st (7), Sat 28 th (3), Tue 31 st (4)	
August	Sat 4 th (7), Sat 11 th (7), Sat 18 th (7), Sat 25 th (7), Thu 30 th (3)	
September	Sat 1 st (7), Sun 2 nd (7), Mon 3 rd (4), Fri 7 th (6), Sat 8 th (3), Sun 9 th (7), Tue 11 th (4), Thu 13 th (8), Sat 15 th (7), Sun 16 th (7), Fri 21 st (7), Sat 22 nd (7), Sun 23 rd (7), Fri 28 th (7), Sat 29 th (3), Sun 30 th (7)	
October	Tue 2 nd (4), Fri 5 th (4), Sat 6 th (7), Sun 7 th (7), Tue 9 th (10), Sat 13 th (7), Sun 14 th (7), Fri 19 th (7), Sat 20 th (3), Sun 21 st (7), Tue 23 rd (4), Fri 26 th (7), Sat 27 th (7), Sun 29 th (10)	
November	Fri 2 nd (7), Sat 3 rd (7), Wed 7 th (4), Fri 9 th (7), Sat 10 th (3), Sun 11 th (7), Tue 13 th (4), Fri 16 th (7), Sat 17 th (7), Sun 18 th (4), Fri 23 rd (4), Sat 24 th (7), Tue 27 th (1)	Sun 25 th (14)
December	Sat 1 st (3), Tue 4 th (4), Fri 7 th (7), Sat 8 th (7), Fri 14 th (6), Sat 15 th (3), Tue 18 th (9), Thu 20 th (8), Thu 27 th (3), Fri 28 th (7), Sun 30 th (9)	Sun 9 th (7), Sun 16 th (11), Thu 27 th (14)