

19 July 2010

Australian Competition & Consumer Commission  
GPO Box 3131  
Canberra ACT 2601  
Attention: Ms Sharon Clancy

**Re-Application for Authorisation Lodged by DP World Australia Limited and Patrick Stevedores Operations Pty Ltd -interested party consultation**

Reference is made to the letter of 6 July 2010 and the invitation extended to the Customs Brokers and Forwarders Council of Australia Inc (CBFCA) to provide comment on the above mentioned referenced Application for Interim Authorisation. The CBFCA has had a long interest in port landside logistic efficiencies and has provided comment to Australian Competition and Consumer Commission (ACCC) on a variety of stevedoring issues. While CBFCA members do not, in the main, provide transport services they are one of the major contractors to transport operators in the port landside logistic process. In its role as the peak industry association representing service providers in international trade logistics and supply chain management the CBFCA has had exposure to, and an understanding of, the issues espoused in the Applications for Authorisation by the referenced stevedores.

The CBFCA sees particular merit in any cost efficient and cost-effective process change, which will provide transparent and sustainable benefits to all who participate in the referenced part of the landside logistics process. In terms of the submission made to the ACCC and, in the summation of the respective claims that the arrangements will lead to the following public benefit (as referenced in the ACCC letter of 6 July) ie.

- increased truck utilisation
- reduction in the traffic and any improvement in the community amenity around the Port of Fremantle
- environmental benefits
- lower costs and increased convenience for industry participants
- a more optimal method of allowing the Port of Fremantle to handle large throughput,

the CBFCA notes that there is no empirical evidence to support such claims. In essence, based upon precedent with such statements the CBFCA is of the opinion that such claims need to be qualified and quantified.

The CBFCA will be guided by those who have participated in the referenced Forum and the respective member input from that Forum (which was held under the auspices of the then Department of Planning and Infrastructure with the aim of progressing initiatives for improving road use around the Port of Fremantle).

The CBFCA is of the opinion that it is appropriate for the Interim Authorisation to be granted in the first instance to allow the parties to trial



**CBFCA**

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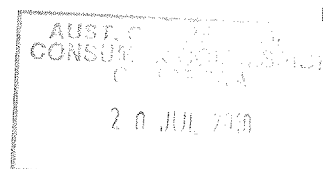
Customs Brokers & Forwarders  
Council of Australia Inc.

National Office  
Tel: 07 3256 1244  
Fax: 07 3262 4400

PO Box 303 Hamilton Qld 4007  
Brisbane Australia

Email: cbfcano@cbfca.com.au  
Website: www.cbfca.com.au

ABN 92 287 746 091



the proposal to determine whether the likely outcomes can be extrapolated to the benefits as noted in the stevedores submissions. While noting the request for a five (5) year Authorisation, based upon the cost implications for implementation, the CBFCA does not support this timeframe and would suggest to the ACCC ( and based upon existing arrangements which sees costs recovered for service delivery by I-STOP) that a shorter period would be more appropriate.

As to of any process improvement the CBFCA, on by half of its members, remains committed to work with stevedores and those parties represented in the Forum to improve the landside logistic process not only at the Port of Fremantle but also in other Australian ports.

Should you wish to further discuss this issue please do not hesitate to contact me

Yours faithfully

A handwritten signature in black ink, appearing to read 'S. J. Morris', written over a white background.

**STEPHEN J MORRIS**  
Executive Director