

## **DBIM Access Undertaking**

### **Section 10**

Reporting by Dalrymple Bay Infrastructure Management Pty Ltd

## **Indicators relating to compliance with the AU for Financial Year 2020-21**

---

### **Table of Contents**

Summary.....	2
(a) Indicative Access Proposals.....	2
(b) Access Applications .....	2
(c) Response times .....	2
(d) Disputes.....	2
(e) Negotiation periods for successful outcomes.....	2
(f) Negotiation periods where no Access Agreement signed .....	3
(g) Access Transfer Applications.....	3
(h) Access Agreements concluded.....	3
(i) Complaints.....	3
(j) Other .....	3

## Summary

The following table summarises the Indicators relating to compliance with the AU for the period.

Item	Compliance Indicator	Result
(a)	Indicative Access Proposals	2
(b)	Access Applications	0
(c)	Response times	N/A
(d)	Disputes	0
(e)	Negotiation periods for successful outcomes	N/A
(f)	Negotiation periods where no Access Agreement signed	N/A
(g)	Access Transfer Applications	9 received, 6 resolved in 2020-21
(h)	Access Agreements concluded	0
(i)	Complaints	1
(j)	Other	N/A

### (a) Indicative Access Proposals

This section provides information relating to s.10.2(a), specifically the number and percentage of total Indicative Access Proposals provided within the applicable timeframe.

The number and percentage of total Indicative Access Proposals provided within the applicable timeframe were 2 and 100% respectively.

### (b) Access Applications

This section provides information relating to s.10.2(b), specifically the number and percentage of Access Applications received for which an extension of time for provision of an Indicative Access Proposal was sought by DBIM.

No Access Applications were received for which an extension of time for provision of an Indicative Access Proposal was sought by Dalrymple Bay Infrastructure Management Pty Ltd (DBIM).

### (c) Response times

This section provides information relating to s.10.2(c), specifically the average delay (in days) taken to provide an Indicative Access Proposal not provided within the applicable timeframe.

All Indicative Access Proposals were provided within the applicable timeframe; therefore, the average delay is not applicable.

### (d) Disputes

This section provides information relating to s.10.2(d), specifically the number of instances where a Dispute has been referred to dispute resolution in accordance with Section 17.

No Disputes were referred to dispute resolution in accordance with Section 17.

### (e) Negotiation periods for successful outcomes

This section provides information relating to s.10.2(e), specifically the average length of the negotiation period (in days), where the negotiation period has commenced and has ceased as the result of the execution of an Access Agreement in respect of the Access sought by the Access Seeker.

No Access Agreements were negotiated and signed during the period.

## (f) Negotiation periods where no Access Agreement signed

This section provides information relating to s.10.2(f), specifically the average length of the negotiation period (in days), where the negotiation period has commenced and has ceased as the result of any reason other than the execution of an Access Agreement in respect of the Access sought by the Access Seeker.

No instances during 2020-21 where the negotiation period has commenced and has ceased due to any reason other than execution of an Access Agreement.

## (g) Access Transfer Applications

This section provides information relating to s.10.2(g), in respect of the Access Transfer processes set out in Section 5.13, the following:

- (1) the number of requests received for a transfer of rights or entitlements; and
- (2) the period taken to resolve each transfer, being in each case the period from the date of receipt of the request and ending on the earliest of the date that:
  - (A) an Access Agreement facilitating the transfer was executed by DBIM;
  - (B) DBIM gave notice to the transferor that consent for the transfer was refused; or
  - (C) any notice was given to the QCA of a dispute in relation to the purported transfer.

DBIM received 9 Access Transfer Applications, of which 6 were resolved during the period, as summarised in the table below.

Application	Received	Resolved	Type	Days
1	14/05/2020	07/07/2020	s.10.2(g)(2)(A)	54
2	14/05/2020	10/07/2020	s.10.2(g)(2)(A)	57
3	01/04/2020	14/12/2020	s.10.2(g)(2)(A)	257
4	13/11/2020	04/06/2021	s.10.2(g)(2)(A)	203
5	13/11/2020	04/06/2021	s.10.2(g)(2)(A)	203
6	01/12/2020	04/06/2021	s.10.2(g)(2)(A)	185

## (h) Access Agreements concluded

This section provides information relating to s.10.2(h), specifically the number of instances where a negotiation period that had commenced, ceased as the result of the execution of an Access Agreement in respect of the Access sought by the Access Seeker.

No Access Agreements were executed during the period.

## (i) Complaints

This section provides information relating to s.10.2(i) of the AU, specifically written complaints received by DBIM in relation to its compliance with this Undertaking; and.

One complaint was received by DBIM. DBIM did not agree with the complaint and it was not progressed.

## (j) Other

This section provides information relating to s.10.2(j), specifically any other performance measure requested by the QCA, provided that DBIM is not required to Publicly Report any information which the QCA accepts it would not disclose in the same circumstances under section 239 of the QCA Act (although, in such cases, the QCA may require DBIM to comply with alternative publication arrangements).

The QCA has not requested any other performance measure.