



Notice

18 March 2016

Appointment of Arbitrator

Dispute referred to the ERA by Cooperative Bulk Handling Ltd

On 17 February 2016, Cooperative Bulk Handling (**CBH**) notified the ERA of a dispute that requires arbitration pursuant to section 26(1) of the *Railways (Access) Code 2000* (**Code**). In accordance with its responsibilities under section 26(2) of the Code, the ERA has appointed the Hon Mr Kevin Lindgren QC to hear and determine the dispute.

Section 25 of the Code outlines the circumstances under which an entity may be taken to be in dispute with a railway owner.

For the purposes of section 25 of the Code, CBH advised the ERA that it considers that CBH and Brookfield Rail Pty Ltd (**Brookfield**) have entered into negotiations on a proposal for access to certain routes on Brookfield's rail network, but have not before the termination date fixed under section 20(2) of the Code reached agreement on the provisions to be contained in an access agreement.

The dispute will be conducted in accordance with the *Commercial Arbitration Act 2012*.

The ERA does not have any further role in the arbitration process.

For further information contact:

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