Ports and Maritime Administration Act and Port Botany Landside Improvement Strategy

Transport for NSW thanks industry for their input into the Independent Review of the Ports and Maritime Administration Act (the Act) and the Port Botany Landside Improvement Strategy (PBLIS).

The final report was released on 25 January 2024 and made 37 recommendations relating to the Act and PBLIS.

All 16 of the Act recommendations have been adopted and will be implemented.

Feedback is open from now until Friday 31 May 2024, on how the implementation of 20 of the 21 PBLIS recommendations may benefit or impact industry. This feedback will inform the NSW Government's final decision.

PBLIS recommendation 18, to engage NSW Ports –the private port operator-as a service provider to administer elements of PBLIS is not supported. The current arrangement where Transport for NSW administers the Regulation is considered most appropriate at this time.
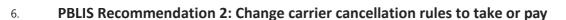
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Personal information

1. Full name *

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2. Email address *

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3. Phone

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4. Organisation (if applicable)

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Port Road Interface

5. **PBLIS Recommendation 1: PBLIS Performance Scheme**

   Introduce (via a managed transition process) a regulated performance-based incentive scheme for the stevedore and road interface that rewards efficient performance of stevedores and road operators and provides flexibility to support innovation in landside operations.

   Monitoring will provide transparency of ongoing landside performance. Government should retain the potential to re-introduce the current, prescriptive PBLIS rules if port performance deteriorates.

6. **PBLIS Recommendation 2: Change carrier cancellation rules to take or pay**

   Change the slot booking notice period and cancellation rules for carriers to a take or pay arrangement.

7. **PBLIS Recommendation 3: Facilitate no booking until discharge**

   Enable stevedores to voluntarily implement a no booking until discharge system that allows container pick up booking once the import container has been discharged from the vessel.

8. **PBLIS Recommendation 4: Staggered time zone commencement**

   Facilitate the optional commencement of truck servicing time zones every half hour instead of every hour.

9. **PBLIS Recommendation 5: Differential pricing of time zones**

Stevedores should consider applying different prices to truck time zones to encourage 24/7 landside port access.

10. **PBLIS Recommendation 6: Remove the broad power for regulating stevedore charges**
Remove the broad Regulation power for regulating stevedore charges, and remove associated PBLIS stevedore charge notification and government assessment requirements

11. **PBLIS Recommendation 7: Apply late penalties per truck trip rather than per container**

Apply PBLIS late arrival penalties per truck trip rather than per container.

12. **PBLIS Recommendation 8: Apply unforeseen events to terminal sections**

Increase flexibility in stevedore unforeseen event application to allow partial closure of a stevedore terminal for an impacted time zone, instead of the whole terminal during that time zone.

13. **PBLIS Recommendation 9: Update penalty rates by Consumer Price Index (CPI)**

Backdate PBLIS penalty rates by CPI from 2010 and apply ongoing annual CPI increases.

14. **PBLIS Recommendation 10: Remove large and small carrier classifications**

    Remove the option for stevedores to separate carriers into Large Carriers (Class B carriers) and Small Carriers (Class A carriers) for the purpose of releasing slots.

15. **PBLIS Recommendation 11: Remove TfNSW approval for stevedore import and export slot allocation**

    Remove the requirement for TfNSW to approve the stevedore import and export slot allocation.

Data Transparency

16. **PBLIS Recommendation 12: Road data transparency**

    Increase the information publicly available on stevedore truck servicing and carrier performance, and improve data provided to government.

17. **PBLIS Recommendation 13: Rail data transparency**

    Provide detailed information on stevedore rail window and rail operator performance to industry, make data publicly available, and encourage visible container tracking.

18. **PBLIS Recommendation 14: Empty container data transparency and efficiency**

    Require empty container storage facility data and make suitable data publicly available and require empty container redirections be provided in an appropriate electronic format.

19. **PBLIS Recommendation 15: Freight Community System (FCS)**

    Progress development of a FCS Strategic Business Case and, if positive, develop a phased implementation plan to proceed as a high priority.

Port Access

20. **PBLIS Recommendation 16: Second truck marshalling area**

    Investigate the need and timing for a second truck marshalling area (TMA) and, if required, consider options for its development.

21. **PBLIS Recommendation 17: Certified transport operator access**

    Introduce a certification requirement for container transport road operators at Port Botany.

PBLIS Recommendation 18: IS NOT SUPPORTED

Engage NSW Ports as a service provider to administer elements of PBLIS, truck marshalling area and TfNSW camera network

PBLIS recommendation 18, to engage NSW Ports – the private port operator - as a service provider to administer elements of PBLIS has not been supported. The current arrangement where Transport for NSW administers the Regulation is considered appropriate at this time.

Port Rail

22. **PBLIS Recommendation 19: Remove regulated rail servicing arrangements**

    Remove the regulation of stevedore rail servicing arrangements to allow stevedores to set charges and service terms as appropriate.

23. **PBLIS Recommendation 20: Improve governance frameworks to align public infrastructure managers with the port rail task**

    Ensure public rail infrastructure managers (Sydney Trains and ARTC) requirements are appropriately aligned with the port rail task.

24. **PBLIS Recommendation 21: Examine future rail options**

    As rail investments mature, consider further options for improving the interface and/or coordination between supply chain participants and functions.

25. **General feedback**

Thank you for taking the time to provide feedback on the final 20 PBLIS recommendations as part of the Independent Review of the Ports and Maritime Administration Act and PBLIS.

Once you have reviewed your responses, please email your submission to freight@transport.nsw.gov.au.