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Road Freight NSW

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.

We don't know the detail sufficiently. At this stage a broad proposal.

Our members are cynical, they believe this may undermine PBLIS and perhaps prioritise stevedore priorities at the expense of landside operators.

Meetings on this proposal haven't illuminated this proposal sufficiently.

Our members are concerned that this performance scheme may see more a shift of costs and work being done by operators ie like doubling handling in yards, more after hours work and some operators may not have the capacity to perform 24 hour work.

Nevertheless, despite commentary being biased against this recommendation, we would like to know more detail, particularly granular details. However, at this stage, we don't believe the case has been made for this 'performance scheme' - at this stage we reject unless convinced otherwise of its utility, fairness, and efficiency.

Please note the Castralia Report which says that stevedores may pass on some of their inefficiencies to the road operators without mandatory standards applying.

**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.

The view is that landside operators stockpile slots. Slots are extremely difficult to get and hence the mad minute. There are a lot of reasons why carriers hold slots. The onus should not be on the carrier but systemic approach should be taken particularly with regard to slots available and the gatekeepers at the Port.

REJECT RECOMMENDATION.

**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.

REJECT RECOMMENDATION.

See Response to Recommendation 2.

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

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

Trying to run efficient both ways will make it more difficult to run loaded both ways. This will add to congestion and carbon emissions. Delays at container yards can blow out to scheduling.

REJECT RECOMMENDATION.

**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.

Incentivise out of hours operators? Requires doubling handling and may affect business model of the operator.

REJECT RECOMMENDATION. However, we believe John Preston from Alliance Transport recommendation 5 response is worth investigating.

**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

Wrong question.

The role of government is clear: How do we regulate to stop unfairness in this system?

What does charging Carriers Terminal Access fees/Infrastructure surcharges deliver for landside operators or the Sydney/NSW Community?

What identifiable improvement does it deliver for the payer of these fees?

The advantage for the stevedore is clear; terminal access fees/infrastructure surcharges deliver more than 40% of their revenue.

The ALP philosophy is one that identifies disadvantage and seeks remedy. Taking the regulatory power from the Minister of Transport is an abrogation of good governance unless Treasurer Jim Chalmers steps up and regulates this system federally in a belts and braces manner.

REJECT RECOMMENDATION

**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.

Broadly in support. However, our caves is that we require more information as to its operation and understanding the motivation for the recommendation.

ACCEPT RECOMMENDATION

**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.

A complex one.

We are prepared to discuss how this would operate in practice. However, we would not want to see a system that circumvented PBLIS and its purpose of incentivising productivity be undermined. There is a continued role for TfNSW to oversee if this recommendation is to work properly.

**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.

CPI isn't the most accurate measure of inflation any longer with electricity, house prices and fuel, inter alia, all seeing record increases over the last 10 years.

ACCEPT RECOMMENDATION

**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.

We are prepared to discuss the operation of this recommendation.

Current system limits growth and the matrix has deficiencies for carriers. Large carriers want exisiting slots while small carriers want more. Many operators perceive this recommendation as a trojan horse.

REJECT RECOMMENDATION

**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.

Low trust from land side operators with stevedores

Strong preference is for TFNSW to maintain oversight and a role.

REJECT RECOMMENDATION

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.

ACCEPT RECOMMENDATION

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.

ACCEPT RECOMMENDATION

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.

When PBLIS was first introduced the prevailing view was the empty container park were to be regulated next. See our Freight Reform submission for more information on the cost of diversions in this part of the supply chain for the community.

ACCEPT RECOMMENDATION

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.

Our preference is that TfNSW manage this process in conjunction with providers. Its been a 'high priority' since 2018 and we have been supportive of it throughout this time. In addition, may I respectfully suggest that instead of receiving an email out of nowhere about the FCS recently and being asked to assess it. That instead proper consultation takes place showing the benefits of it.

Broadly in support.

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.

RECOMMENDATION ACCEPT

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

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

RECOMMENDATION REJECT.

Too many questions arise from this proposal. The case hasn't been made for recommendation. It is unclear and seems to add onus onto road freight operators without accompanying onus on other's in the Port supply chain.

**PBLIS Recommendation 18. Not supported**

**PBLIS Recommendation 18: 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.

RECOMMENDATION REJECT

**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.

RECOMMENDATION ACCEPT.

**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.

We are prepared to discuss this recommendation.

**25. General feedback**

In addition, a number of our operators are providing their own submissions to this review and we endorse their viewpoints as they work at the coal face and understand how the port really operates in practice.