13 MARCH 2026

Updating the National Voluntary Guidelines for Landside Stevedore Charges and Expansion to Empty Container Park Charges

Submission to National Transport Commission (NTC) on behalf of Freight & Trade Alliance (FTA) and the Australian Peak Shippers Association (APSA)

"KEEPING AUSTRALIA'S INTERNATIONAL TRADE MOVING"

FTA FREIGHT & TRADE ALLIANCE

Australian Peak Shippers Association Inc. (APSA)

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ABOUT THE ALLIANCE

Freight & Trade Alliance (FTA) is the peak body for the international trade sector with a vision to establish a global benchmark of efficiency in Australian biosecurity, border related security, compliance, and logistics activities.

FTA represents more than 500 businesses including Australia's leading customs brokerages, freight forwarders and major importers.

On 1 January 2017, FTA was appointed the Secretariat role for the Australian Peak Shippers Association (APSA).

APSA is the peak body for Australia's containerised exporters and importers under *Part X of the Competition and Consumer Act 2010* as designated by the Federal Minister of Infrastructure and Transport.

APSA is also a member and has board representation on the Global Shippers Forum (GSF) that represents shippers' interests and that of their national and regional organisations in Asia, Europe, North and South America, Africa and Australasia.

FTA / APSA also provide international trade and logistics advocacy support to the following associations:

- Australian Council for Wool Exporters and Processors;
- Australian Dairy Products Federation;
- Australian Horticulture Trade;
- Australian International Movers Association;
- Australian Meat Industry Council;
- Australian Steel Association;
- Feed Ingredient and Additives Association of Australia;
- Grain Trade Australia; and
- Tyre Stewardship Association.

The current APSA Officers and Committee of Management are listed below:

- Olga Harriton (Manildra Group) - APSA Chair
- Brian Thorpe (Visy) - APSA Vice Chair
- Billy Davies (Australian Meat Industry Council) - Treasurer
- Mark Christmas (QMAG)
- Flaminio Dondina (Casella Family Brands)
- Sarah Granger (Fletcher International Exports)
- Brian Wright (Australian International Movers Association)
- Michael Brittain (AGT Foods Australia)
- Paul Zalai - APSA Secretary

A list of all members and further information about FTA / APSA is available at www.FTAlliance.com.au

EXECUTIVE SUMMARY

Freight & Trade Alliance (FTA) and the Australian Peak Shippers Association (APSA) welcome the opportunity to comment on the National Transport Commission's proposal to update the National Voluntary Guidelines for Landside Stevedore Charges and to expand their application to empty container park (ECP) operators. We acknowledge the intent to improve transparency, predictability and consultation around landside price changes.

FTA and APSA also acknowledge that the development of national guidelines reflects government recognition that escalating landside charges have become a systemic issue requiring policy attention. However, based on extensive empirical evidence, ACCC monitoring, Productivity Commission findings and direct experience of our members, FTA and APSA remain firmly of the view that voluntary guidelines are fundamentally incapable of addressing the underlying problem: the unchecked exercise of market power by stevedores and, increasingly, empty container parks.

Landside charges were introduced at modest levels but have escalated at extraordinary rates—often several hundred or thousand per cent—despite stagnant or declining waterfront productivity. Almost half of all stevedore revenue is now derived from landside charges, and cumulative Terminal Access Charge (TAC) collections since 2017–18 exceed total capital investment by stevedores over the same period. These costs are imposed on parties with no direct commercial relationship with the charging entity, are non-negotiable, and are ultimately passed through and compounded across the supply chain, inflating the landed cost of goods and eroding Australia's trade competitiveness.

The Victorian Voluntary Pricing Protocol has improved process and notice periods, but it has failed to restrain price escalation. This failure has been explicitly acknowledged by the Victorian Minister for Ports and Freight. Replicating this voluntary model nationally, and extending it to ECPs, risks entrenching a framework that is procedural rather than effective.

FTA and APSA therefore submit that while the proposed Guidelines may deliver marginal transparency benefits, they do not substitute for meaningful regulatory reform. A mandatory code, overseen by the ACCC and consistent with Productivity Commission recommendations, remains essential.

CONTACT

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RECOMMENDATIONS

Recommendation 1 - Ensure any national framework includes enforceability, monitoring and consequences, not merely process transparency.

Recommendation 2 - Do not rely on voluntary guidelines as the primary policy response to landside charge escalation.

Recommendation 3 - Implement a mandatory national code, consistent with Productivity Commission recommendations, overseen by the ACCC.

Recommendation 4 - Prohibit the direct imposition of Terminal Access Charges and ECP booking fees on transport operators, requiring cost recovery from commercial clients (shipping lines) wherever feasible.

Recommendation 5 - Where direct prohibition is not adopted, subject landside charges to regulatory oversight, including assessment of cost recovery, actual investment and reasonable returns.

ESCALATING LANDSIDE CHARGES – A SYSTEMIC COST-OF-DOING-BUSINESS ISSUE

Terminal Access Charges, also referred to as landside charges, are unavoidable fees imposed by container stevedores on transport operators for collecting and delivering containers at Australian ports. These charges are particularly problematic because they are levied on parties who have no commercial relationship with the entity imposing them, creating a non-competitive and opaque cost that is ultimately passed through the supply chain inflating the landed cost of goods.

When Terminal Access Charges were introduced, it was initially modest ($3.50–$4.95 per container). As *historical data and analysis* reveals, this has become a major revenue source for stevedores and empty container parks.

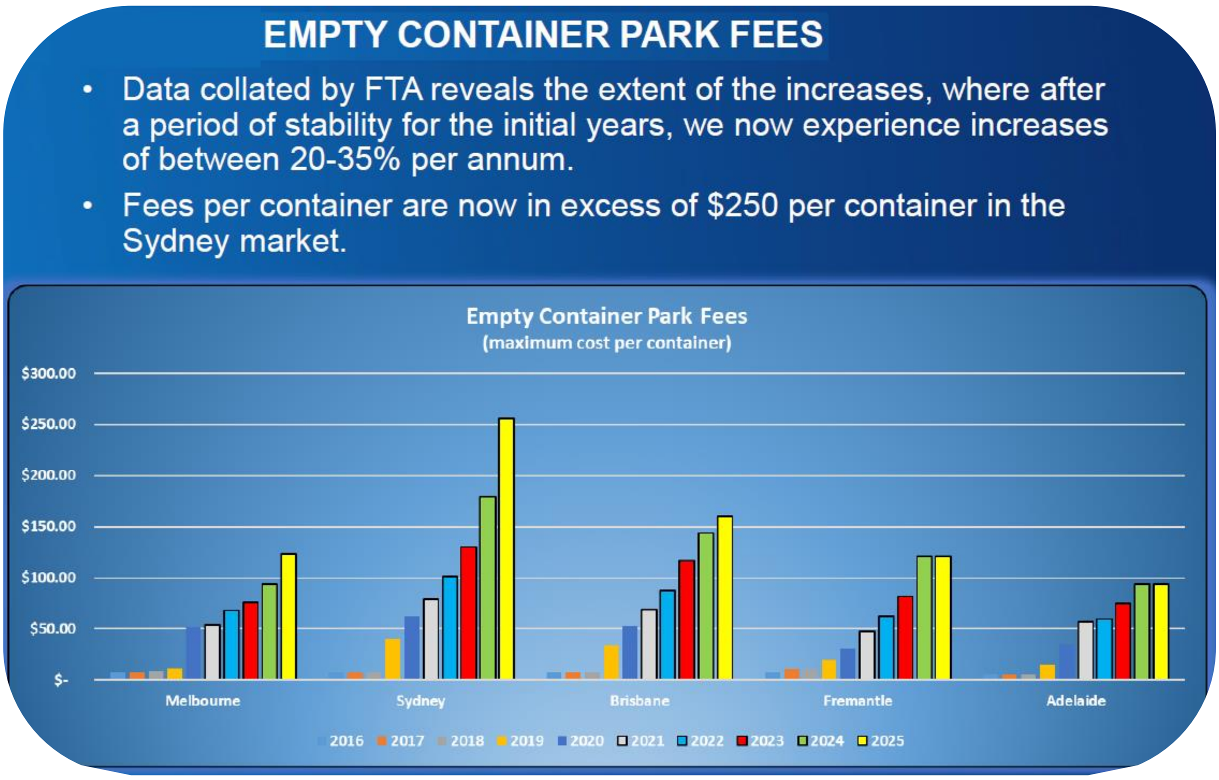
Terminal Access Charge increases:

- Hutchison SYD – 2,043% increase over 7 years ($10.45 → now $213.57)
- Patrick BNE – 846% increase over 10 years
- DPW BNE – 691% increase over 10 years
- VICT MEL – 468% increase over 8 years

By comparison, port productivity has been stagnant or declining:

- Average net ship rate: 64 → 56 containers per hour
- Net crane rate: 30.7 → 28 containers per hour
- Average truck turnaround (waiting) time: 31 → 33 minutes

This unsustainable pricing model has now extended beyond the stevedores. Empty container parks (ECPs) are increasingly levying unavoidable fees on transport operators in order to maintain commercial viability, effectively mirroring the landside charging approach adopted by terminal operators. As a result, the cost impost within the supply chain no longer sits solely at the waterfront. Empty container parks, which receive containers once importers have unpacked them and subsequently make those units available for exporters, now impose booking fees on transport operators.



While ECPs perform a critical function in maintaining container circulation and ensuring equipment availability, their historical commercial model was markedly different. Traditionally, ECPs generated revenue primarily through contractual arrangements with shipping lines and charged minimal ancillary fees in order to secure and retain those contracts.

The contrast between that historic model and current charging practices underscores the structural shift that has occurred in landside cost recovery across the container supply chain.

- DPWL SYD – 1,878% increase over 10 years ($16.50 → now $310.00)

Despite negligible productivity improvements across the waterfront over the past decade, supply chain charges have escalated at an extraordinary rate. These rising costs do not sit in isolation.

Each increase imposes additional cash flow pressure, administrative handling and compliance burdens on freight forwarders, customs brokers and transport operators. Understandably, these participants generally apply further mark-ups to recover those costs and manage commercial risk. By the time the cargo owner ultimately pays the already substantial Terminal Access Charge, the original fee has been compounded through the supply chain. What begins as a landside infrastructure charge imposed by stevedores or ECPs becomes a significantly higher end cost to importers and exporters.

The contrast between underlying transport cost movements and imposed infrastructure charges is stark. Using a typical example of *a 20-foot container delivery in Sydney (non-toll route)*, cartage rates increased by only 19.5 per cent between December 2017 and February 2026. Over the same period, however, terminal access charges surged by 767 per cent, while empty container park booking fees increased by an extraordinary 1,878 per cent.

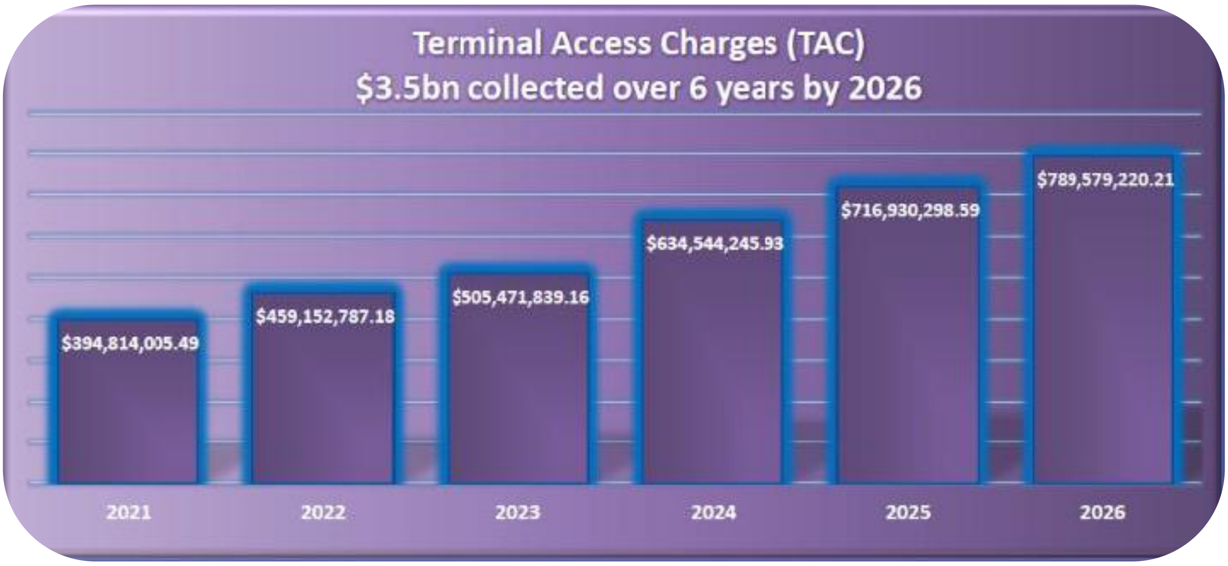
These figures clearly demonstrate that the primary driver of escalating supply chain costs is not road freight productivity or transport labour expenses, but rather the unchecked growth of landside and ancillary charges imposed at the port interface.

Supporting the concerns raised by FTA and APSA, the most recent Australian Competition and Consumer Commission (ACCC) *Container Stevedoring Monitoring Report* shows that total stevedoring prices per container are now at record highs, increasing by around 20 percent in real terms since 2019–20. Almost half of all stevedore revenue, 49.5 percent, now comes from landside charges. Operating profits of stevedores have surged, with margins around 35 percent, well above typical transport and industrial sector benchmarks.

The ACCC has identified limited competition, no meaningful ability for transport operators to negotiate charges, and structural features that weaken price discipline. Critically, ACCC data show that more than three billion dollars has been collected in Terminal Access Charges since 2017–18, around two and a half times the total capital investment by stevedores over the same period.

Since 2020, Victoria has operated a Voluntary Pricing Protocol intended to improve transparency and consultation around stevedore price increases. While this has improved notice periods and process clarity, it has not restrained price escalation. In *formal correspondence* to FTA and APSA, Minister Horne explicitly acknowledged that the voluntary model has failed to keep price rises for landside access charges to reasonable levels. Following DP World increases, Minister Horne expressed concern about the failure of the voluntary framework and wrote to Commonwealth Infrastructure Minister Catherine King advocating investigation into regulation of stevedore landside charges nationally. Minister Horne specifically referenced the Productivity Commission's recommendation for a mandatory code overseen by the ACCC.

Despite this, the National Transport Commission is now developing national voluntary guidelines, largely modelled on the same Victorian approach. The Productivity Commission's *Inquiry into Australia's Maritime Logistics Industry* recommended the introduction of a mandatory code for stevedore pricing, oversight by the ACCC, and a regulatory framework to address market power imbalances and unjustified cost pass-through behaviour. To date, this recommendation has not been implemented. FTA and APSA's own analysis (refer below) indicate that landside charges will continue to increase significantly, compounding supply chain costs and further eroding Australia's trade competitiveness. **These figures warrant urgent scrutiny**.



The Committee is strongly encouraged to review the detailed evidence contained in the FTA and APSA presentation, *Data on Rising Landside Costs*, which sets out the full extent of escalating landside charges and their cumulative impact on cargo owners.

ACCC and Productivity Commission Findings

The ACCC's Container Stevedoring Monitoring Reports (2023–24 and 2024–25) confirm:

- Record high stevedoring prices and historic profit levels, despite significant spare capacity
- Aggregate operating profit margins reaching approximately 34.8% in 2024–25
- Nearly half (49.5%) of all stevedore revenue now derived from landside charges
- Since 2017–18, stevedores have collected $3.19 billion in Terminal Access Charges, representing 2.5 times the industry's aggregate investment over the same period
- Landside revenue growth of 12.2% in 2024–25, while quayside revenue from shipping lines declined

The ACCC has explicitly identified limited competition, an absence of negotiation ability for transport operators, and structural features that weaken price discipline. It has also warned that without targeted reform, Australian businesses and households will ultimately pay the price.

The Productivity Commission's *Inquiry into Australia's Maritime Logistics System* concluded that stevedores have exercised market power on the landside and recommended a **mandatory code**, overseen by the ACCC, to address unjustified cost pass-through behaviour. This recommendation remains unimplemented.

RESPONSE TO CONSULTATION QUESTIONS

Question 1: *What are your views on the proposed changes to align price changes to 1 January each year?*

FTA and APSA support a single annual implementation date as a minimum procedural safeguard. It provides some pricing stability and reduces the frequency of cost pass-through events.
However, this measure does nothing to address the level or justification of price increases.

Question 2: *Do you foresee any opportunities or challenges for stevedores implementing these changes to the guidelines?*

There are no material operational barriers to stevedores implementing these changes. The primary challenge is not capability, but willingness to accept meaningful constraint on pricing behaviour—something the voluntary framework does not require.

Question 3: *Is the amount of information stevedores are requested to provide appropriate?*

While the information requested is extensive, it is appropriate given the scale of charges imposed. However, without regulatory oversight or consequences, information disclosure alone has proven ineffective in constraining price growth.

Question 4: *Are the timeframes outlined for stevedore price change notification process appropriate?*

The proposed timeframes are reasonable from a process perspective, but again, process does not equate to protection. Notice does not equal negotiation.

Question 5: *What are your views on the proposed expansion of the National Voluntary Guidelines to empty container parks?*

FTA and APSA support the inclusion of empty container parks (ECPs) within the framework, acknowledging their growing role as a major cost centre. This reflects the reality that landside cost escalation is no longer confined to the wharf.

Question 6: *Do you foresee any opportunities or challenges in implementing the guidelines for empty container park charges?*

As with stevedores, ECPs should be capable of complying with the Guidelines. The risk is that a voluntary model legitimises, rather than restrains, excessive charging behaviour.

Question 7: *Is the amount of information empty container parks are requested to provide appropriate?*

The proposed disclosure requirements are appropriate and overdue. Historical pricing transparency is particularly important given the magnitude of past increases.

Question 8: *Are the timeframes outlined for empty container price change notification process appropriate?*

The proposed timeframes are acceptable, noting that alignment to a single annual date offers greater operational and pricing certainty not only for transport operators, but also for freight forwarders, customs brokers, importers and exporters further down the supply chain.

Question 9: *Are these definitions unambiguous and aligned with your understanding of the terms?*

The proposed definitions are generally clear and aligned with industry understanding.

Question 10: *Are there any other terms which should be defined in the final guidelines?*

No.

Question 11: *Do you have any further concerns or issues with the proposed updated National Voluntary Guidelines?*

The central concern remains that voluntary guidelines lack enforceability and have demonstrably failed to restrain price escalation in Victoria. While the Victorian Voluntary Pricing Protocol has delivered improved transparency and notice periods, it has not curbed the quantum or frequency of price increases. This failure has been explicitly acknowledged in correspondence from the Victorian Minister for Ports and Freight,

Melissa Horne, to FTA and APSA, in which the Minister recognised that the voluntary framework had not kept landside charge increases to reasonable levels and advised that these concerns had been formally conveyed to her Commonwealth counterparts.

This acknowledgement aligns with ACCC findings showing that landside revenue growth has far exceeded investment outcomes. Expanding a model already acknowledged by government as ineffective risks entrenching a symbolic framework with no effective remedy for industry participants.

Recommendation 1 - Ensure any national framework includes enforceability, monitoring and consequences, not merely process transparency.

Recommendation 2 - Do not rely on voluntary guidelines as the primary policy response to landside charge escalation.

Recommendation 3 - Implement a mandatory national code, consistent with Productivity Commission recommendations, overseen by the ACCC.

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Recommendation 5 - Where direct prohibition is not adopted, subject landside charges to regulatory oversight, including assessment of cost recovery, actual investment and reasonable returns.

Without mandatory regulation, the proposed National Voluntary Guidelines risk being procedural rather than protective, and industry will continue to bear escalating costs with no recourse.

FTA and APSA welcome continued engagement with the NTC and are available to provide further evidence if required.