

An aerial photograph of the Port of Brisbane, showing the river, industrial areas, and surrounding land. The text is overlaid on the left side of the image.

PORT OF BRISBANE RESPONSE TO THE NTC ISSUES PAPER EASY ACCESS TO SUITABLE ROUTES

AUGUST 2019

16 August 2019

National Transport Commission

Port of Brisbane Submission to National Transport Commission Issues Paper Easy Access to Suitable Routes.

The Port of Brisbane Pty Ltd (PBPL) welcomes the opportunity to comment on, and contribute to, the National Transport Commission (NTC) Issues Paper Easy Access to Suitable Routes. PBPL supports the first-principles approach to the HVNL Review.

PBPL comments on the Issues Paper are set out below.

Approach

The NTC Issues paper articulates the deficiencies of HVNL in relation to heavy vehicle access well. This submission provides a road manager perspective on current access arrangements and suggests some changes that need to be incorporated in the new law to facilitate simpler and more timely and efficient access for heavy vehicles.

What constitutes the Port of Brisbane?

The Port of Brisbane is one of Australia's fastest growing and most diverse ports. It handles ~\$50 billion of trade per annum including more than 1.3 million containers, 226,000 motor vehicles; and large volumes of wet and dry bulk and general cargo. 97 per cent of this cargo is transported by truck.

Efficient access to the road network for heavy vehicles is very important to both PBPL and its stakeholders, who rely on such access to move large volumes and tonnages of import/export (IMEX) cargo to and from the Port. As the road manager of its own Port-controlled roads, PBPL is responsible to ensure it provides efficient access to its own roads for heavy vehicles. The Port owns or controls 25kms of roads within the Port precinct.

However, IMEX supply chains need access to roads well outside the Port precinct.

The Port is connected to the National Highway system via the Port of Brisbane Motorway (PoBM) (see Figure 1). This connects the Gateway Motorway and a number of key arterial routes, each of which has its own road manager:

- Ipswich Motorway – Transport and Main Roads (TMR)
- Gateway Motorway - Transurban
- Port Drive (TMR and Port of Brisbane)
- Pacific Motorway (TMR)
- Warrego Highway (TMR)
- Logan Motorway (Transurban)

Many roads within the Port precinct between Fisherman Islands and the Gateway Motorway are controlled by the Brisbane City Council (BCC).

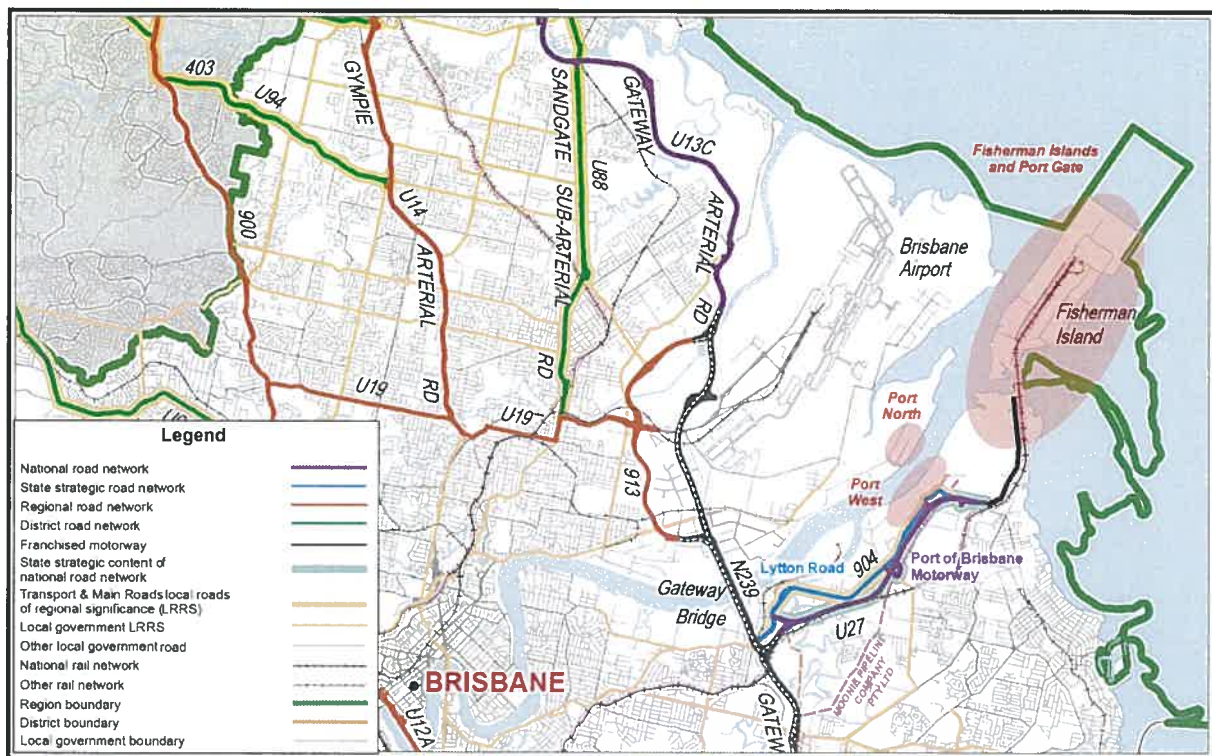


Figure 1 Local Transport System Interface

Port of Brisbane Experience with HVNL

The adoption of Heavy Vehicle National Law (HVNL) and the creation of the National Heavy Vehicle Regulator (NHVR) in 2014 was a step in the right direction to provide a national approach to the regulation of heavy vehicles and reduce the impact of jurisdictional differences in relation to regulation and access.

However, in relation to access, it is arguable whether the benefits from these changes have outweighed the costs. One reason for this is that there are now three agencies involved in regulating heavy vehicles: the National Heavy Vehicle Regulator (NHVR), state jurisdictions (road managers for state-controlled roads and state police), local councils (road managers for council roads), and non-council road owners eg, PBPL.

The most important change was the legislative impost placed on road managers to manage access for heavy vehicles to their roads. The most noticeable impact has been on heavy vehicles requiring permits, because road managers now have to consent to access for individual vehicles. Permits seem to have become the primary policy instrument employed by road managers to protect the road asset from over use, to provide data on the number of permitted vehicles using road manager roads, and to promote safety.

One effect of the new legislation is that road managers have 28 days to consent to requests for access. This is too long and is contributing to delays. It should be acknowledged however that Councils were unprepared for the introduction of HVNL and many do not have the resources to provide a quick turnaround of access requests, or to assess their road networks. Delays inevitably result.

This issue has been exacerbated by the increasing preponderance of high productivity vehicles (HPVs) operating under Performance Based Standards (PBS) Scheme. These vehicles provide safety and productivity benefits but they also require permits to access the road network, which means operators have to apply and pay for permits, often for individual vehicles, and road managers have to consent to access to their roads. Delays in getting permits are common.

Similar issues exist with over size, over mass (OSOM) vehicles, because many loads moved on these vehicles require a permit and often a police escort as well. The visibility of road access decisions is often obtuse and operators report difficulties in getting cogent answers when they ask for reasons as to why

requests for access have been denied, even when a similar vehicle has been approved.

At present only the NHVR's access decisions are subject to external review. Operators want the ability for an adverse decision to be reviewed by a third party.

PBS vehicles are also required to participate in the Intelligent Access Program (to confirm route compliance) and in Qld, must be equipped with an On Board Mass (OBM) system to confirm mass compliance, both of which are costly.

From a road manager perspective, current access arrangements for all classes of vehicles, particularly those requiring permits, is inefficient, slow, costly and resource intensive for operators and road managers.

The inefficiencies described are of direct concern to the Port of Brisbane, because as indicated previously, it is a 'truck' port: it relies on trucks for the transport of 97% of its IMEX cargo. It is now heavily reliant on the 30m long 4 TEU A double, a permitted HPV, to transport containerised agricultural export products to the Port from Northern NSW and southern Qld. The A double now represents 11% of container trucks at the Port, compared with 7% for the ubiquitous B double.

In response to the introduction of HVNL, PBPL realised that it did not have the resources to handle myriad requests for access to its roads, especially for OSOM vehicles, most of which require permits. PBPL pre-approved access to port roads for A doubles and a range of Over Size, Over Mass (OSOM) vehicles, and created a Notice for the transport of containerised over dimensional cargo using flat racks and open top containers on floats and low loaders. This reduced the impost on PBPL resources, and reduced the time for operators to get permits, but it has not reduced the need for permits (except for vehicles covered by the Notice). Pre-approval of OSOM vehicles reduced the volume of OSOM requests for consent by 70%. Pre-approvals for A doubles removed the need for consent altogether, but as with OSOM vehicles, did not reduce the number of permits required.

The use of pre-approvals and Notices is not common in Queensland. Up until recently no Council road or State-controlled road had been pre-approved for any class of vehicle.

Case Study – A double Notice

TMR has recently developed a Notice for A doubles which use state-controlled roads between Toowoomba and the Port of Brisbane. This has not removed the need of permits because it does not cover a range of Council roads which intersect with state-controlled roads and which do require permits for access. For operators, the benefit of not requiring a permit for part of the trip between the origin and the destination at the Port is negated by requiring a permit for Council roads. In this instance a supply chain approach would have been beneficial.

The simplest way of streamlining and simplifying heavy vehicle access is to get of, or reduce, the number and class of vehicles which require permits. This essentially means Notices or 'gazetted roads'.

Use of Notices and pre-approvals

One of the likely reasons Notices and even pre-approvals have been little used by road managers is because, in the absence of permit information, they lose visibility of the number of vehicles which are using their roads. This provides an incentive for road managers to use permits as a way of monitoring how many permits are being issued and to whom, and therefore how many vehicles are using their roads.

PBPL has direct experience of this because we do not know how many pre-approved vehicles are accessing port roads, unless we monitor permits being issued, which we do not have the resources to do. Under a Notice, visibility is reduced further because no permits are required. However there are other ways of monitoring vehicle access eg, weigh-in-motion devices, classifiers.

The opportunities offered by new and emerging digital technologies should enable the current access application process, including data on vehicle use of the road network, to be streamlined. Existing vehicle technology and data on the road network should be able to be integrated to allow access determinations to be made in real time, as well as the provision of data on vehicles using the road network which are covered by Notices or pre-approvals.

Case Study – Inflexibility of HVNL

HVNL is overly prescriptive. By way of example, recently PBPL approved access for all A doubles to a previously-restricted road and a bridge. PBPL asked NHVR to amend all A double permits to allow access to the bridge. NHVR indicated that, under HVNL, they were unable to do this. Instead operators were required to ask the NHVR for their permits to be amended or request they be amended when the permit is renewed. The result was that many A double operators were unaware of the change in access and unable to take advantage of the efficiencies provided by being able to access the bridge. These permits should have been able to be amended following advice from PBPL.

Case Study – Police escorts

Harmonisation of access across jurisdictional boundaries was a major aim of HVNL, including for OSOM cargo, and for police escorts. Whilst some improvements have been made, the differing jurisdictional requirements for police escorts, including the number required, is still a major inefficiency when OSOM loads are required to cross borders.

An example highlights the issue. About two years ago, the Port of Brisbane missed an opportunity to import wind farm blades and turbines for a wind farm in Northern NSW. The length of the blades required them to be transported on extendable trailers and required police escorts. The differing requirements of the police forces of NSW and Queensland, and the difficulties of co-ordinating police escorts in two states was a factor in the blades being imported through the Port of Newcastle, obviating the need to cross the border at all.

Summary

From a road manager perspective, the key deficiencies of current access arrangements, which need to be addressed in the development of new law, are:

- The over reliance on permits to provide access to the road network for both high productivity vehicles (HPVs) and over size, over mass (OSOM) vehicles.
- The current system is inefficient, costly, resource intensive for road managers and operators, and impedes productivity which increases supply chain costs. The real issue here is the economic and cost impact of existing heavy vehicle regulations and processes. Anecdotally it is significant, but it has not been measured or quantified.
- Permits take too long to issue, they are often required to be renewed too frequently, and the processes involved are complex and costly for operators.
- Many road managers take too long to consent to access to their roads, which impacts the time taken to get permits.
- Many road managers do not have the resources to handle requests in a timely manner or assess their road networks to pre-approve access or include their roads in a Notice.
- Only NHVR access decisions are subject to review. Operators should have the right to challenge access decisions and have them reviewed independently.

Suggested HVNL Changes

New legislation will not remove the responsibility that road managers have for their road infrastructure and therefore their responsibility to manage access to it. The key challenge for the new HVNL is ensure the legislation facilitates more efficient and timely access and provides ways and means for road managers to manage their networks with a focus on productivity, without compromising safety.

The most important requirements are that access provisions in the new law are simple, flexible and efficient. More specific suggestions are:

- The new law should facilitate gazettals, Notices or pre-approvals on a supply chain basis. As was indicated previously, pre-approvals or Notices which only cover some of the roads between origins and destinations is of marginal benefit.

- The new law should reduce the time available for road managers to consent to access. 7 days seems reasonable. This is likely to encourage road managers to consider more efficient ways of managing their road manager functions.
- Road managers should be able to delegate their responsibility for managing access to their roads. This would provide opportunities for significant efficiency improvements.
- The new law should require road managers to continue publishing reasons for their decisions.
- The new law should provide for third party review of road manager decisions. The fact that only the NHVR is currently subject to having access decisions reviewed is unacceptable.
- The new law should facilitate the use of existing and emerging technologies, including telematics, to improve the whole access process and to help overcome road managers making decisions in isolation. This could also help overcome the lack of visibility of vehicle use of roads, and remove one impediment to reducing the number of permits.

Yours sincerely



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