



NATIONAL ROAD TRANSPORT ASSOCIATION

Submission to the National Transport Commission

Assessing the effectiveness of the PBS Scheme

9 October 2017

Introduction

1. The National Road Transport Association (NatRoad) is pleased to make comments on the discussion paper released by the National Transport Commission (NTC) in August 2017 entitled *Assessing the effectiveness of the PBS Scheme* (Discussion Paper).
2. NatRoad is Australia's largest national representative road freight transport operators' association. NatRoad represents road freight operators, from owner-drivers to large fleet operators, general freight, road trains, livestock, tippers, express car carriers, as well as tankers and refrigerated freight operators.
3. NatRoad supports Performance Based Standards (PBS) as an alternative system for heavy vehicle design to replace the prescriptive method of applying mass and dimension limits. It is evident from the NTC evaluation that the PBS scheme has resulted in positive outcomes in the transport of freight by increasing innovation, productivity, safety and reducing CO2 emissions.
4. It therefore makes sense to enhance the effectiveness of the scheme and encourage greater participation by heavy vehicle operators.

PBS Scheme barriers

5. The Discussion Paper notes the biggest barriers reported by industry were the complexity and cost of the approval process and the access uncertainty which results from a number of administrative processes. This includes the need for individual access permits for most PBS vehicles, the time taken by road authorities to give consent for access on their respective roads and the imposition of additional state-based operating conditions.
6. These problems reflect the experiences of our members who operate PBS vehicles. Firstly, there is a disconnect between the PBS approval and the road access approval. A transport operator can spend thousands of dollars obtaining PBS approval only to find that road access is subsequently denied by a road manager because of unfounded or ill-informed concerns about safety or local amenity impacts. Decisions about PBS vehicle access should be based on engineering principles, network design and measurable impacts, not underlying attitudes towards heavy vehicle transport. See also the case study below.
7. Secondly, it can take a long time to process road access permits due to the consent required from road managers. Under the HVNL, road managers have 28 days to respond to an access request. Many road managers do not have the resources and expertise readily available to make evidence-based consent decisions that often require a technical assessment of risks to the relevant infrastructure on those roads.¹
8. According to the NHVR, there is a 20 per cent non-compliance rate where road managers fail to respond within the 28 day period. Should a road manager fail to make a decision within the relevant consent period, it is the NHVR's policy to support a further 28 days past the due date (equating to a consent period of 56 days). In our view this is unacceptable. Delays by a single road manager affect the entire journey. Some of our members have incurred financial and productivity losses, including contractual penalties, while waiting for road managers to issue permits.
9. We acknowledge that the NHVR is continuing to work with road managers by delivering more than 1600 pre-approved routes. VicRoads has also recently introduced new HPV

¹ In some cases, the transport operator requiring the access has to pay for these technical assessments.

networks to accommodate 30-metre A-double combinations, without the need for individual route assessments. However, as identified in the Discussion Paper, there is no co-ordinated approach to pre-approved road networks amongst the states and territories.

Case study

A transport company had been successfully operating a PBS approved vehicle for 18 months to transport freight between Port Botany and Wollongong.

Recently the transport company invested in a second identical PBS vehicle, including having it registered and insured, and applied to the NHVR for an access permit to carry freight on the same route under the same conditions. NSW Roads and Maritime Services (RMS), as the road manager, denied access solely on the basis of Transport for NSW's unpublished "interim strategic plan" which favoured the use of rail to transport containers to and from the port. This seemed an incongruous decision, given that relying on rail to move freight between Port Botany and Wollongong is currently not a viable option.

The transport company requested an internal review. However, the original decision was upheld by RMS despite NSW Ports informing RMS that denying access for PBS vehicles makes the current movement of freight less efficient.

This issue was resolved only after NatRoad sought ministerial intervention, with RMS subsequently reversing their decision and approving access. But it took 6 months of lost productivity from the time the original access application was made.

PBS Scheme improvements

10. NatRoad submits that measures to improve the design approval and end-to-end network access processes for PBS vehicles should be given a priority.
11. Given the proven safety, productivity and environmental benefits of PBS vehicles, NatRoad supports investigating the suitability of using the performance based approach as the default minimum standard for all new heavy vehicles over 42.5 tonnes instead of the prescriptive requirements.
12. NatRoad also supports the following improvements proposed in the Discussion Paper:
 - reviewing restrictions imposed by existing regulations (such as Vehicle Standards) that are a barrier to innovation,
 - developing a simplified PBS scheme for popular and mature PBS designs with greater access certainty,
 - publishing national notices for all four levels of PBS network,
 - developing a nationally harmonised infrastructure capability assessment guideline for use in all access decision making,
 - encouraging other areas of the supply chain such as intermodal logistics centres and warehouses to support PBS vehicles,
 - investigating a performance-based approach to medium-to-heavy duty commercial vehicles with gross mass within 8t to 42.5t and buses operating in urban areas.