

Ref: PANSW24 168

Attn: Department of Infrastructure, Transport, Regional Development, Communications and the Arts

**Re: *Independent review of the Coastal Trading (Revitalising Australian Shipping) Act 2012***

Thank you for the opportunity to provide comment to inform Phase 1 of the independent review of the *Coastal Trading (Revitalising Australian Shipping) Act 2012*.

Port Authority of New South Wales (Port Authority) manages the navigation, security, and operational safety needs of commercial shipping in NSW. It also operates cruise terminals and berths along the NSW coastline including the Overseas Passenger Terminal and the White Bay Cruise Terminal in Sydney and the Eden Cruise Wharf.

Initiatives designed to improve the Australian maritime industry are generally strongly supported by Port Authority and we welcome the review of the Act with the following comments for consideration.

**Maritime workforce**

Port Authority employs a dedicated team of maritime operations staff, including harbour masters and marine pilots, working 24/7 to ensure the safe navigation of commercial ships into and out of ports in NSW. These roles are highly skilled, industry specific and require people with maritime knowledge, skills and experience. Port Authority supports any policy that enhances the Australian maritime skill base and/or provides a pathway for candidates for future roles in the maritime industry that require or would benefit from maritime experience.

**Cruise operations and Regulatory certainty**

The cruise industry plays a significant role in the economic landscape of NSW. According to recent data from Cruise Lines International Association and the Australian Cruise Association, the cruise sector contributes approximately \$8.43 billion to the Australian economy, with around \$4.41 billion generated in NSW.

During the 2023-24 cruise season, NSW ports welcomed over 1.2 million cruise passengers and crew and 312 cruise ships, illustrating the industry's vital role in attracting tourism and supporting local businesses. The cruise industry also creates thousands of jobs, both directly and indirectly, with the industry supporting employment for 13,714 full time jobs in NSW over 2023-24.

Given these figures, it is crucial to provide a stable and predictable regulatory environment that encourages continued growth in this sector.

---

**YAMBA**

PO Box 143  
Yamba NSW 2464  
T: 61 2 6646 2002

**NEWCASTLE**

PO Box 663  
Newcastle NSW 2300  
T: 61 2 4985 8222

**SYDNEY**

PO Box 25  
Millers Point NSW 2000  
T: 61 2 9296 4999

**PORT KEMBLA**

PO Box 89  
Port Kembla NSW 2505  
T: 61 2 4275 0100

**EDEN**

PO Box 137  
Eden NSW 2551  
T: 61 2 66461596

The current exemption process under the Act introduces significant risks and uncertainties for cruise operations. The Port Authority Cruise Booking Policy requires cruise operators to commit to slots three years in advance with plans to extend cruise bookings to a longer-term commitment.

Further, decisions to grant exemptions have been made close to the expiry of the exemption, resulting in regulatory uncertainty and unease. Any additional barriers or hurdles to creating multi-port stays for international cruise operators may reduce cruise visitation to the ports of NSW.

Port Authority suggests that cruise visits be removed from the scope of the Act altogether, rather than utilising the exemption process. This could be achieved through two key changes:

1. Distinction between Passenger and Cargo: By creating a clear distinction between the transport of passengers and cargo, regulations can be tailored more appropriately to the unique nature of cruise operations.
2. Limiting Regulation on Passenger Transport by:
  - Limiting the regulation to apply only to voyages where passengers embark and disembark from *different* ports would allow for an exclusion of regulatory constraints for voyages where passengers embark and disembark at the *same* port, or
  - removing cruise ships greater than 5000GT from the scope of the Act and adding them to the list of vessel categories to which the Act does not apply in Section 10. Currently the list includes naval vessels, fishing vessels, yachts, tugboats etc.

We look forward to continued collaboration in the next phase of the process for the review of the *Coastal Trading (Revitalising Australian Shipping) Act 2012*.

Yours sincerely



Chief Executive Officer and Director

31 October 2024