

Port, Transport, Logistics Taskforce

Guiding principles

The Port, Transport, Logistics, Taskforce is a consultative forum for representatives of businesses having a direct interest in the operations of Port Botany.

The Forum will not be a decision making body.

Participants in the Forum recognise the significance of Port Botany within the Australian economy as a focus point for trade, as well as its situation within the Sydney metropolitan area, and the consequent importance of its efficient operation.

The Forum acknowledges and respects competition as a defining feature of an efficient Australian economy.

Through the Forum NSW Ports and Transport for NSW (by its Cargo Movement Coordination Centre) will consult with business representatives on developments and proposals for, or affecting, Transport and Logistics at Port Botany and encourage feedback and ideas for continued and improved efficiency.

Participation will be open to businesses or business associations with a significant presence or interest in the operation of Port Botany. These include the Container Terminal Stevedores, Empty Container Park operators, Rail Operators, Road Freight NSW, Road Transport companies, Freight Forwarding and Customs Broker peak bodies, and the provider of the Vehicle Booking System.

Delegates to the Forum will be executives of participating businesses. The forum will meet at least quarterly. Commercial in confidence information will not be disclosed to the Forum. Reports of the proceedings of the Forum will be published.

The Forum may appoint working groups of delegates to research and report back on specified matters.

NSW Ports and the Cargo Movement Coordination Centre will facilitate the Forum by providing meeting chairpersons and secretariat (on an annual basis NSW Ports 2019, TfNSW 2020 etc.) functions as well as the venue and attendance of a probity adviser.

Objectives of the PTLT are to:

1. Advise on operating methods, protocols and service levels that can be implemented by participants in the container movement chain to improve:
 - a. the efficiency and capacity of container terminal receipt and delivery;
 - b. the consistency of container terminal receipt and delivery;
 - c. the transparency of container terminal receipt and delivery;
 - d. the transition to a 24 hours per day, seven days per week container terminal receipt and delivery operation.
2. Advise on performance standards and methods of measure for:
 - (i) Container movements
 - a. booking systems and procedures for road services at the stevedoring terminals;
 - b. minimum number of slots for booking;
 - c. establishment of gate requirements for truck servicing;
 - d. cancellation (listing) of bookings by carriers;
 - e. truck arrival times for bookings;
 - f. non-servicing by stevedores and carriers;
 - g. truck turnaround times; and
 - h. invoicing.
 - (ii) Non containerised cargo landside operations
 - a. congestion
 - b. interaction between road carriers and locations
 - c. handling of hazardous material
 - (iii) Empty Park / IMTs
 - a. booking systems and procedures for road services at Empty Container Parks;
 - b. minimum number of slots for booking;
 - c. establishment of gate requirements for truck servicing;
 - d. cancellation of bookings by carriers;
 - e. truck arrival times for bookings;
 - f. non-servicing by Empty Container Parks;
 - g. truck turnaround times; and
 - h. invoicing.
3. Advise on data exchange, sharing and visibility protocols and communications procedures.
 - a. Identify policy and regulatory impediments that impact on the efficient movement of containers or cargo by road to and from Port Botany.
 - b. Identify road and terminal infrastructure enhancement projects, operating methods and procedures that will increase capacity and improve the efficiency of the movement of containers or cargo by road to and from the container terminals at Port Botany.

Attachment A – Terms of Reference (ToR)

- c. Provide advice on recommended enhancements to infrastructure, policy, operating methods and procedures and where possible quantify the benefits of recommended enhancements or changes.
4. Facilitate the efficient exchange of trade through the Port Botany supply chain, including Port Botany, Enfield, Cooks River and other areas as required.
 - a. Focus on mode share
 - b. Ensure growth of Intermodal facilities such as Enfield and Cooks River to assist with volume growth within Port Botany precinct.
 - c. Focus on cargo from NSW Country, to again assist with the growth of Port Botany operations.
 - d. Ensuring key indicators within PBLIS port operations are maintained and service delivery remains competitive. This covers land and vessel / stevedoring operations.
5. To respond to industry needs in resolving port operational problems and the land based interface transport infrastructure servicing all stakeholders within the supply chain.
 - a. React to day to day issues, in more of a 'review' type role seeking lessons learnt from issues dealt with by all stakeholders.
 - b. Work with the end users in improving the supply chain concentrating on "whole" of supply chain solutions.
6. Work to improve communications and promote an understanding of operational procedures and practises between shipping, transport, and cargo owners.
 - a. Use the taskforce as a forum to discuss interrelated issues within the supply chain, from a technology perspective.
7. Provide a forum for discussion on port and inter related industry matters.
 - a. Provide a formal environment to openly discuss issues but to also ensure suggestions and solutions are encouraged within the taskforce. All discussions must not be anti-competitive in nature.
8. Give advice on matters related to shipping and transport operations.
 - a. Promote the taskforce as the subject matter 'expert' to assist stakeholders with ideas and initiatives.
 - b. Ensure the taskforce is seen to be entirely focused on the growth and establishment of ongoing improvements within Port Botany and associated areas. The taskforce is not an independent taskforce and as such its scope is entirely around the Port supply chain.
9. The PTLT members must abide by ACCC requirements and may be required for certain measures that they refrain from discussing any company in confidence material or details that may be construed as anti-competitive in nature.

Sponsor

1. The sponsors of the PTLT are the Executive Director, Freight Industry Branch, Transport for NSW (TfNSW) and the General Manager, Operations and Environment, for NSW Ports (NSWP).
2. The Sponsors are responsible for the provision of TfNSW and NSW Ports resources for the PTLT, oversight of the PTLT and the development of TfNSW support to the output of the PTLT.

Attachment A – Terms of Reference (ToR)

3. The Sponsors represent TfNSW and NSW Ports in relation to the deliverables of the PTLT. The Sponsors will provide the deliverables to the Deputy Secretary Freight, Strategy and Planning and CEO of NSW Ports.

Limits of PTLT authority and discussions

1. The PTLT has no executive decision making authority.
2. The PTLT is an advisory body to Transport for NSW / NSW Ports by providing advice on all freight transport operational issues related to Port Botany.
3. The PTLT has no policy determination or operational executive functions.
4. The PTLT must not engage in any discussion relating to pricing.

Term

1. The PTLT will be formally constituted from January 2019 and does not have a term, as such.
2. The Sponsors of the PTLT may dissolve the PTLT at any time if in the opinion of either or both of them:
 - a. the PTLT is not meeting, and is unlikely to meet, the Aim and Objectives within the Term; or
 - b. The PTLT is no longer required to provide advice to TfNSW / NSW.

Deliverables

1. The PTLT will endeavour to:
 - a. Provide expert knowledge and specialist stakeholder views to TfNSW / NSW Ports about industry and community interests for efficiency of freight services related to Port Botany;
 - b. Share knowledge between Members and with TfNSW / NSW Ports related to innovative practices in the freight transport and logistics industry within Australia and internationally;
 - c. Identify research opportunities that would enhance the TfNSW / NSW Ports understanding of industry needs to support freight movements related to Port Botany; and
 - d. Prepare case studies, based on operational experience that will facilitate the development of strategies to overcome constraints in operations related to Port Botany.

Chairperson

1. The Sponsors will appoint a Senior Manager from the Cargo Movement Coordination Centre and NSW Ports as Joint Chairpersons of the PTLT. The Sponsors may appoint a different Chairperson from time to time.
2. The Chairperson(s) are to possess one or more of the following:
 - a. Experience at a senior level in the private or public sector;

- b. Detailed knowledge of the interests of the broad range of road, rail and stevedoring industry stakeholders; and
- c. Expert knowledge and experience in freight transport networks and logistics systems.

Membership

1. Appointment of members

The Chairpersons, on behalf of the Sponsor, are responsible for any further or replacement appointments to the PTLT.

The Chairpersons will appoint persons as Members who meet the Membership Criteria set out below, but can from time to time; appoint other members who will add value to the group. It is the decision of the Chairpersons. The following is a guide for appropriate members:

- a. Representatives from each of the three Port Botany Container Terminal Stevedores;
- b. No more than two representatives from each of the Industry peak bodies, Bulk Liquid Industry Association, Road Freight NSW (RfNSW), Customs Brokers & Freight Council of Australia, Freight & Trade Alliance (FTA), Australian Federation of International freight Forwarders (AFIF), Container Transport Alliance Australia (CTAA), Shipping Australia Limited (SAL), and Australian Logistics Council (ALC).
- c. One representative from interested transport companies. Expression of Interest to be submitted to the Chairpersons for consideration of inclusion. The Chairpersons may also extend invitations to specific organisations. The Expression of Interest will be subject to the Chairpersons approval and the requirement to meet minimum attendance.
- d. Representatives from Freight Forwarding organisations.
- e. Representatives from ARTC
- f. Representatives from Roads & Maritime (RM).
- g. Representatives from Intermodal operators – Linx, Qube, Pacific National.
- h. Representatives from the Cargo Movement Coordination Centre and TfNSW;
- i. Representatives from NSW Ports
- j. Representative from Information Technology Organisations such as 1-Stop Business Solutions Pty Ltd, Cargowise, Containerchain, (Port Community System Operator/s)
- k. Representatives from Federal Government Agencies; Australian Border Force (ABF), Department of Agriculture, and Water Resources (DAWR).
- l. Representatives from Empty Container Parks; DP World Australia Logistics, Qube (Cooks River), Tyne, and ACFS.
- m. Representatives from the Bulk Liquid tenants located in Port Botany.

Attachment A – Terms of Reference (ToR)

Membership is voluntary; however commitment through participation and attendance is the requirement.

A Member may resign their membership at any time by giving one month of written notice, addressed to the Chairpersons.

The Chairperson(s), with the assistance of the Secretariat, will keep a Register of Members.

2. Membership criteria

To be eligible to be a Member, a person must have:

- a. Experience at a senior level in the private or public sector; and
- b. Authority to express views on behalf of their respective member organisation.
- c. Agree to the Terms of Reference (ToR) and sign a Non-Disclosure Agreement (NDA).

The Chairpersons will appoint Members to the PTLT which, collectively, have:

- a. Knowledge of the interests of the broad range of industry stakeholders; and
- b. Expert knowledge and experience in one or more fields of container terminal stevedoring, freight operations, port management, transport networks and logistics systems.

3. Alternate membership

- a. Each appointed Member may nominate one Alternate Member who may attend and vote at meetings in the place of the appointed Member in the case that the appointed Member is unable to attend a meeting.
- b. The Alternate Member may be any person who meets the membership criteria specified and may be a person who is already a Member in their own right.
- c. Appointed Members may nominate their Alternate Member by submitting the name and contact details of their nominated Alternate Member in writing to the Chairpersons at least five working days prior to the scheduled meeting.

4. Obligations of members

- a. Members are required to personally attend 75% of all annual meetings, or arrange for their Alternate Member to attend each meeting. If a member does not meet this requirement, they may be removed from the membership.
- b. Members must comply with these Terms of Reference.
- c. Members must further the Aim of the PTLT and support the achievement of the Objectives and Deliverables of the PTLT.
- d. Members are to submit, no later than 5 working days prior to any meeting, agenda items that they would like discussed at the upcoming meeting.

5. Removal of members

The Chairperson(s) may remove a Member from the PTLT if the Chairperson(s) are satisfied that the Member:

- a. no longer meets the eligibility requirements of the membership requirements;
- b. has breached these Terms of Reference, including any breach of confidentiality;
or
- c. has an unresolved disagreement with the Aim, Objectives or Deliverables of the PTLT that impairs the functioning of the PTLT.

6. Term of appointment

An appointed Member shall hold office for the Term as long as the Member is eligible (if otherwise qualified) for re-appointment.

Administration Support

1. The Cargo Movement Coordination Centre / NSW Ports will provide the administration support for the PTLT, for minute taking and distribution, location meeting room booking and any other resources required for the PTLT to carry out its work effort.
2. The administration support will:
 - a. Ensure all meetings are prefaced with a competition law compliance statement and recorded in the minutes;
 - b. Coordinate the meeting dates and development of the meeting agenda;
 - c. Coordinate the preparation of meeting papers and circulate the agenda and meeting papers to members;
 - d. Record Minutes of the PTLT and Task Group meetings;
 - e. Forward draft minutes of each meeting to members within one week after each meeting for endorsement;
 - f. Record the actions arising from a meeting once they have been approved and signed by the Chairperson(s);
 - g. Monitor actions arising from PTLT meetings and report on their progress at following meetings;
 - h. Coordinate preparation of reports from the PTLT to the chairpersons; and
 - i. Publish the minutes on an appropriate publicly accessible website.

Meetings

Frequency and form of meetings

1. There will be at least one PTLT meeting quarterly. The Chairperson(s) of the PTLT will convene each such meeting.
2. The Chairperson(s) of the PTLT may convene such other meetings as the Chairperson(s), in his or her absolute discretion, considers reasonably necessary or desirable to achieve the Aim and Objectives of the PTLT and the Deliverables.
3. A Member may submit a request that the Chairperson(s) may consider to any specific question, motion or decision proposed by that Member, but the Chairperson(s) will only be required to convene a meeting pursuant to that request if the Chairperson(s), in his or her absolute discretion considers it reasonably necessary or desirable to achieve the PTLT's Aim and Objectives and the Deliverables.
4. Meetings must be held in person.
5. The Chairperson(s) must, at least five business days (or such reasonable shorter period if urgent) before each PTLT meeting, send to each of the Members in writing:
 - a. notice of such meeting;
 - b. an agenda of the business to be transacted at such meeting (together with all papers to be circulated or presented to the meeting);
 - c. a copy of the draft minutes for the previous meeting for adoption by the meeting and signing by the Chairperson; and
 - d. At the start of each year, the Secretariat will issue meeting requests to all members for the next 12 months, so as to provide ample notice of each meeting.

Quorum

1. No business may be carried out or actions decided at any meeting of the PTLT, except the adjournment of the meeting, unless a quorum of Members is present when the meeting proceeds to business.
2. A quorum consists of at least:
 - a. One transport company PTLT member;
 - b. Two container terminal stevedoring representative PTLT members; and
 - c. Two freight forwarding companies / industry associations
 - d. Two Empty Container Park representative
 - e. One Systems organisation representative
 - f. One Government agency
 - g. the Chairperson(s).
3. If the quorum is not present within 30 minutes after the time appointed for the meeting of the PTLT, the Chair will advise if the meeting will either:
 - a. be adjourned to another date, time and place, as close to original meeting as possible; or
 - b. continue with the planned discussion.

Communications and information sharing

1. Confidentiality
 - a. No Member shall make public statements purporting to represent the views of the PTLT or the views of any other individual Member of the group, in relation to the mandatory standards (Mandatory Standards) Under Part 3 of the Ports and Maritime Administration Regulation 2012 (The Regulation) discussions.
 - b. Members must not disclose official information or documents acquired as a consequence of membership of the PTLT (in relation to Mandatory Standards discussions) other than is required by law or when the member has been given proper authority to do so or within the organisation the member represents on a confidential basis for the purpose of determining the views of that organisation.
 - c. Any information as part of the published minutes is deemed to be of public use and as such, can be used by Members. Any and all discussions in regards to Mandatory Standards and / or PBLIS / *Ports and Maritime Administration Act* (NSW) (PAMA), will be, as per historically, confidential and not part of the publicly available minutes.