

# Implementation Program for

## Driver's Code of Conduct

### Port Kembla Coal Terminal



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| <p><b>PORT KEMBLA COAL TERMINAL</b><br/> <b>Business Management</b><br/>         Drivers Code of Conduct Implementation Plan</p> |  | <p>Management Plan<br/>         MP.BM.453<br/>         Status: Approved<br/>         Version: 10.0<br/>         Doc ID: 453<br/>         Page 2 of 13</p> |
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## 1 Introduction

A Driver's Code of Conduct (DCC) was prepared in consultation with Port Kembla Coal Terminal (PKCT) and Shippers, their associated Road Transport Providers, the Roads and Maritime Authority (RMS), Department of Environment & Climate Change (DECC) and the PKCT Community Consultative Committee. The DCC was submitted to the Director General of the New South Wales Department of Planning on 20<sup>th</sup> February 2009 (now Department of Planning and Environment). The submitted DCC is Appendix 3 to the Project Approval No. 08\_0009 for Port Kembla Coal Terminal, signed by the Minister for Planning on 12<sup>th</sup> June 2009.

As part of the Approval, Schedule 3, Condition 6, states that;

“the proponent shall provide an Implementation Program to the Director General by 12<sup>th</sup> December 2009.”

A Program was submitted to the Director General on the 10<sup>th</sup> December 2009 and approval was obtained on the 25<sup>th</sup> March 2010.

Periodic reviews of both the DCC and this Implementation Program are undertaken to ensure ongoing effectiveness. When required, reviews are undertaken with the involvement of relevant stakeholders.

## 2 Objectives of Driver's Code of Conduct

The objectives of the DCC are to;

1. Ensure compliance with the conditions associated with the DP&E consent with consideration of matters raised during the consultation process.
2. Encourage application of the DCC for all stakeholders associated with PKCT transport operations.
3. Minimise impacts on the community as much as possible.
4. Encourage an environment for safe operations associated with PKCT road delivery operations.
5. Maximise public safety by adhering to the Australian road rules and ensuring all potential road safety issues are reported to the Transport Management Centre 131700.



### 3 Responsibilities:

There are several stakeholders who have different responsibilities across the Coal Supply Chain. These current stakeholders are;

| <b>Stakeholder</b>              | <b>Definition</b>  |
|---------------------------------|--|
| <b>PKCT</b>                     | Port Kembla Coal Terminal Limited  |
| <b>Shippers</b>                 | Customers of PKCT who deliver coal and bulk products to PKCT by road transportation, including: <ul style="list-style-type: none"> <li>• <i>South32- Illawarra Coal</i></li> <li>• <i>Wollongong Coal (Formerly NRE Gujarat)</i></li> <li>• <i>BlueScope Steel Limited</i></li> <li>• <i>Sada Group</i></li> </ul> |
| <b>Road Transport Providers</b> | Road Transport Providers- who are contracted by Shippers to deliver coal and bulk products to PKCT by road transportation, including: <ul style="list-style-type: none"> <li>• <i>Linfox Pty Ltd</i></li> <li>• <i>Bohud Pty Ltd</i></li> <li>• <i>Trazblend</i></li> <li>• <i>CJL Haulage Pty Ltd</i></li> </ul>  |

The responsibilities of stakeholders are summarised in the following table:

| <b>Responsibility</b>                          | <b>By Whom</b>   |
|--|--|
| <b>Signed Commitment to DCC</b>                | PKCT to ensure that 100% of Shippers and Road Transport Providers are DCC signed signatories.  |
| <b>Coordination and Performance Monitoring</b> | PKCT to ensure DCC management processes covering mine to PKCT are in place and effective. Appropriate records are to be kept confirming DCC signatories are meeting their DCC commitments. |
| <b>Monthly Compliance Reports</b>              | All signatories to provide a report to PKCT.   |

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Business Management  
Drivers Code of Conduct Implementation Plan**



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| <b>Quarterly Meetings</b>   | PKCT to convene meetings, develop agenda, take minutes and monitor progress of actions.<br><br>Shippers and Road Transport Providers are to regularly attend meetings. Typically, meetings are quarterly, at a minimum 3 meetings per annum. |
| <b>Annual Review of DCC &amp; Report through Annual Environment Management Report (AEMR)</b>  | PKCT   |
| <b>Induction to DCC</b><br><br><b>Operation of a Driver Induction Program incorporating DCC requirements ensuring all drivers (including sub contractors) are aware of their DCC obligations.</b> | Road Transport Providers   |
| <b>Review of Driver Induction Programs and development of Co-ordinated Induction Program</b>  | Shippers, Road Transport Providers & PKCT by 31 <sup>st</sup> March 2010<br><br>Status: complete   |
| <b>Implementation of Revised and Co-ordinated Driver Induction Program</b>  | Transport Providers by 30 <sup>th</sup> September 2010<br><br>Status: complete   |
| <b>Management of drivers ensuring a system is in place with records kept for the delivery of inductions, verification of driver competency, monitoring and performance management.</b>            | Road Transport Providers   |
| <b>Compliance monitoring, recording and reporting of breaches to DCC</b>  | Shippers, Road Transport Providers & PKCT  |
| <b>Regular audits and observations of compliance to DCC covering Mine to PKCT</b>   | Shippers, Road Transport Providers & PKCT  |
| <b>Contractual arrangements with Road Transport Providers which facilitate compliance with DCC, including performance management processes</b>  | Shippers   |
| <b>Independent Environmental Audit of Traffic Management</b>  | PKCT   |



## 4 Implementation Program:

This Implementation Program will:

- Incorporate the key elements of the DCC
- Clarify the management process for implementation of the DCC
- Provide transparency for responsibilities by all stakeholders including PKCT, Shippers and their Road Transport Providers.

The key elements of the Implementation Program include:

1. Commitment to DCC
2. Monthly reports, quarterly meetings and annual review and report
3. Key operational focus areas
4. Driver Induction Program and ongoing management.
5. Audits and enforcement.

### 4.1 Commitment to Driver's Code of Conduct:

PKCT will ensure that all Shippers and their Road Transport Providers have signed and are committed to abide by the DCC.

This commitment by PKCT has 100% compliance, with letters of commitment received from the following companies:

- *South32 – Illawarra Coal)*
- *Wollongong Coal*
- *BlueScope Steel*
- *Australian Steel Mill Services*
- *Bulktrans Pty Ltd*
- *Brindles/Bohud Pty Ltd*
- *MS Transport Services*
- *South Coast Equipment Pty. Ltd.*
- *Hornby Transport Services Pty. Ltd.*
- *Trazblend/Sada Group*
- *CJL Haulage Pty Ltd*
- *Linfox*



## 4.2 Monthly Reports, Quarterly Meetings and Annual Reports (AEMR):

### 4.2.1 Monthly Reports:

Major Project Approval 08\_0009 and subsequent Independent External Audits have stipulated a number of specific items that must be monitored and reported in Monthly Reports. Road Transport Provider or the Shipper as agreed shall submit a monthly report to PKCT stating that the information contained in the table below has been audited. Where items are quantifiable (i.e. tonnages), numerical data must be supplied in the reports.

|   |
|---|
| 1) Tonnes delivered, from location.   |
| 2) List of complaints, Incidents and corrective actions   |
| 3) Number of driver inductions completed  |
| 4) Number of audits completed   |
| 5) Confirmation that all drivers hold a valid driver's licence for the reporting period   |
| 6) Adherence to hours restriction 7am to 10pm Monday to Friday and 8am to 6pm Saturday and Sunday (Wollongong Coal No.1 mine only)  |
| 7) Number of drivers audited (Road Transport Providers only)  |
| 8) Declaration that Performance Monitoring undertaken i.e. Behavioral Observations, Audits or CTO's have covered DCC requirements including the following: <ul style="list-style-type: none"> <li>• Correct use of truckwash (i.e. stops on signals, travels through truckwash &lt;5km/hr).</li> <li>• Trucks are operated in a manner that does not cause excessive noise.</li> <li>• Hours restrictions are adhered to i.e. 7am to 10pm Monday to Friday and 8am to 6pm Saturday and Sunday (Wollongong Coal No.1 mine only).</li> <li>• Tailgates are locked and loads are covered from the mine to PKCT road receival area.</li> <li>• Trucks do not queue on Springhill Road.</li> <li>• Trucks only use major arterial roads as outlined in the DCC.</li> <li>• Trucks do not use compression brakes on Springhill Road/Port Kembla Road intersection and limit on Masters Road.</li> <li>• Speed limits are adhered to.</li> </ul> |

### 4.2.2 Quarterly Meetings:

Typically, meetings will be held quarterly, at a minimum 3 meetings per annum to discuss matters arising from incidents, monthly reports and changes which may be required to ensure that the objectives of the DCC are met and conditions adhered to consistently. Scheduling may vary to suit circumstances and special meetings may be called if necessary. Improvement opportunities are also discussed and actions to address these will be formalised. PKCT is responsible for developing the agenda, taking minutes of the meetings, developing action lists and monitoring progress of actions.



#### 4.2.3 Annual Review and Reporting:

An annual review of the DCC and report of DCC compliance is conducted by PKCT. The report i.e. AEMR will be sent to various regulatory agencies including the DP&E and the EPA and will be made a public document once published on the PKCT website. The review and report through the AEMR will consider;

- Incidents reported
- Assessment of trends of complaints and incidents
- Mitigation measures taken against trends of incidents and complaints
- Improvement opportunities and Programs developed
- Driver inductions completed
- Audits completed and non-compliance actions taken to enforce DCC.

#### 4.3 Key Operational Focus Areas:

The following identifies all areas to be covered under the DCC, which require focus through reporting, meetings and adherence to the Program:

- **Haulage routes:**
  - Any additional/new hazards or changes to routes.
- **Noise Minimisation Controls:**
  - Compression braking avoided to minimise noise impacts.
  - Tailgate closed - noise minimised & spillage incidents minimised.
  - Speed hump noise minimised.
- **PKCT Road Delivery Standards:**
  - Queuing –undertaken only at receival area, Tom Thumb & Port Kembla Roads.
  - Speed limits are adhered to.
  - Effective tipping ensures any spillage minimised.
  - All loads are covered for the duration of transportation.
  - All trucks pass through the truck wash before leaving mine site and PKCT.
  - Vehicle faults are reported.
- **Incident Management and Reporting (Spills, and Safety incidents):**
  - Incidents are reported to the RTA Incident Management Centre.
  - Incidents reported to appropriate area for prompt action.
- **Hazard Reporting**
  - Observations of hazardous road and traffic conditions or conditions reported which could increase the noise impact on adjacent residential areas e.g. potholes, deteriorating road surfaces.





## 4.4 Driver Induction Program and Management:

### 4.4.1 Induction to Driver's Code of Conduct:

It is the responsibility of the Road Transport Providers to induct all drivers. A summary sheet of driver responsibilities is appended to the DCC and is provided to all drivers. Road Transport Providers will provide:

- Monthly data of the number of drivers inducted to DCC
- Confirm 100 % of drivers who have been inducted to DCC or report otherwise-on circumstances and actions to be taken to rectify.

### 4.4.2 Review of all Driver Inductions and Implementation of Co-ordinated Induction Program:

In the development of this implementation program, it was noted that driver inductions were previously being undertaken in a fragmented way. As a result, a two stage coordinated induction program was developed and implemented as follows:-

#### Stage 1- Review of Current Induction Process

A review was completed by 31 March 2010. The review incorporated a review of existing driver inductions, and a recommended coordinated, standardised approach. This review included speed limits, compression braking, truck washing, load covering and queuing on local roads. The review of inductions and reproduction of the induction program included the requirement to follow the same methodology across the various Road Transport Providers i.e. production of a DVD/presentation and competency assessment process.

#### Stage 2 - Revised Driver Induction Program

A revised program was developed and implemented with the majority of drivers inducted by the 30<sup>th</sup> September 2010.

### 4.4.3 Ongoing Management

Road Transport Providers shall have a system in place for the ongoing management of driver inductions with monitoring and performance processes in place to ensure ongoing compliance with DCC requirements. Records shall be kept and made available for audits as appropriate.

The system shall provide for and support safe driver behaviour which is a fundamental part of DCC commitments. Aspects such as fatigue management and truck maintenance are other important aspects contributing to road safety.

Road Transport Providers are encouraged to hold accreditation such as Trucksafe and/ or that provided under the National Heavy Vehicle Accreditation Scheme (NHVAS) e.g. mass, fatigue, maintenance. NHVAS is regulated by the RMS and such accreditation supports the DCC in demonstrating that Road Transport Providers have an effective system in place.



## 4.5 Performance Monitoring, Enforcement and Audits:

### 4.5.1 Performance Monitoring and Enforcement

PKCT, PKCT Shippers and their Road Transport Providers are all responsible for compliance to the DCC. Performance shall be monitored to identify positive and non-compliant behaviours. Behaviours shall be recorded. Positive behaviours shall be recognised as appropriate. Breaches of the DCC will be recorded, observed by or reported to the Road Transport Provider and the necessary action taken by the Road Transport Provider to rectify. This action may include individual instruction, counselling, employee warnings and/or appropriate disciplinary action. Where appropriate, incidents shall be used in driver communications such as tool box meetings and alerts to reinforce DCC requirements.

Non-conformances occurring on PKCT site or witnessed by site personnel will be dealt with under the PKCT 3-Strikes policy. This policy is outlined in the PKCT Truck Driver Rules PR.HS.302. This document has been supplied to Shippers and Road Transport Providers. A summary of the PKCT 3-Strikes policy is provided at the end of this document. Non-conformances will be reported through to the relevant Road Transport Providers and Shippers.

Road Transport Providers and Shippers also utilise their own processes for managing non-conformances. A non-conformance which occurs off PKCT's premises may be dealt with directly via the Road Transport Provider or the associated Shipper via their respective performance monitoring and enforcement processes. These processes would generally be applied at mine sites where trucks are loaded and dispatched to PKCT and en route to PKCT.

Annual Audits of both Shippers and Road Transport Providers ensure that appropriate performance monitoring processes are in place and effective, and disciplinary actions are identified and corrective actions are undertaken where necessary.

### 4.5.2 Driver Observations

Task Observations (TO) have been developed by PKCT to assist in monitoring compliance to the DCC. The CTO form consists of three parts;

- (a) Mine site
- (b) Mine to PKCT and,
- (c) At PKCT.

CTOs can be used to cover the mine to PKCT haulage route or part thereof. The CTO form is available for use by other road users though alternate forms may be used if desired, provided it covers all the listed requirements in Section 4.2.1



TOs shall be regularly undertaken by assigned PKCT personnel, data recorded and any breaches documented as per the PKCT 3-Strikes Policy.

PKCT has an [auditing schedule](#) in place for PKCT personnel to schedule and track TOs undertaken at PKCT's premises. DCC audits undertaken en-route and at mine sites are entered separately into the PKCT Event Management System.

The frequency of formal driver observations undertaken by Road Transport Providers will vary and depends on the volume of product being transported. Driver observations and audits will be reported through the Annual Environment Management Report process. PKCT will undertake a minimum of 25 Environmental Task Observations per annum.

It is noted that, when not transporting product in their own right, Road Transport Providers may subcontract to each other. Independent drivers may also be engaged in sub contracting arrangements. The Road Transport Provider using sub contract drivers and trucks shall ensure such trucks and drivers are DCC compliant and included in its performance monitoring process.

Frequency of audits shall be risk based. Where areas of concern are identified additional audits, observations or other actions will be undertaken to address concerns or to provide additional data to road users to ensure the requirements of the DCC are met.

#### 4.5.3 Management System Audits

An annual audit of each Road Transport Provider's system for managing the Drivers Code of Conduct obligations shall be undertaken by PKCT.

Annual audits shall be arranged directly by PKCT or facilitated through Shippers who may undertake such audits from time to time. Audit scope shall ensure it covers all DCC obligations, provides a verification check of information provided in monthly reports and ensures adequate records are kept.

With regard to Section 4.4.3, it is noted that accreditation such as that referenced therein incorporates audits and regulatory reporting and where relevant supports DCC implementation and ongoing compliance management.

It is noted that the following reporting is required:

- Annual report to DP&E which outlines compliance to DCC, trends in monitoring, actions being taken to ensure compliance with DCC
- Independent environmental audit initially conducted by 31 March 2011, and every 3 years thereafter, and will include traffic management.



#### 4.5.4 Extract from Truck Drivers' Rules PR.HS.302- Summary of PKCT 3-Strikes Policy

- (1) **1<sup>st</sup> Occasion:** Where possible approach the driver involved, draw attention to the non-compliance and advise of the behaviour required. Take the registration number of the truck and the fleet number (large number displayed on rear of trailer) of the truck and advise that the incident will be recorded as a warning under this procedure in the PKCT Event Management System and that three warnings will result in the driver being precluded from entering PKCT. If unable to approach the driver, communication should be made with both the trucking company's supervisor on site and/or PKCT management to progress this issue in a timely manner. A PKCT event will be created by a PKCT Representative to record and track this issue.

The relevant Shipper will be notified of the incident in writing and requested to do the following:-

- a) Formally advise the person of the warning.
  - b) Counsel the person involved and advise of the consequences of further non compliances.
  - c) Reinstruct the person of PKCT's requirements.
  - d) Notify PKCT of the driver's name for PKCT's records.
- (2) **2<sup>nd</sup> Occasion:** Where possible approach the driver involved, draw attention to the non-compliance and advise of the behaviour required. Take the registration number of the truck and the fleet number (large number displayed on rear of trailer) of the truck and advise that the incident will be recorded as a warning under this procedure in the PKCT Event Management System and that three warnings will result in the driver being precluded from entering PKCT. If unable to approach the driver, communication should be made with both the trucking company's supervisor on site and/or PKCT management to progress this issue in a timely manner. A PKCT event will be created by a PKCT Representative to record and track this issue.

The relevant Shipper will be notified of the incident in writing and requested to do the following: repeat the steps (a) to (d) advise the driver that this is the their second warning and that a third will result in the driver being precluded from entering PKCT of the second warning.

- (3) **3<sup>rd</sup> Warning:** If a PKCT employee observes a non – compliance and it is found that a driver has received two previous warnings, the trucking company shall do (a) and (d) and advise the driver he is banned from the site.

NB if trucking companies fail to notify the identity of drivers who have been warned, the truck will be banned from the site. Notwithstanding the process outlined above, serious incidents may result in immediate action.



#### 4.5.5 References

- 1) Drivers Code of Conduct
- 2) [Drivers Code of Conduct – Signed Commitment Letters](#)
- 3) [Drivers Code of Conduct CTO](#)
- 4) [Drivers Conduct of Conduct Monthly Report](#)