



# DRIVER CODE OF CONDUCT: IMPLEMENTATION PLAN

August 2023

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Version	Date	Reviewer	Comments
1	7 <sup>th</sup> December 2009	Luke Pascot	Submitted to DPE
2	26 <sup>th</sup> March 2014	Luke Pascot	Revised after DPE feedback; approved by DPE
2.2	30 <sup>th</sup> November 2012	Luke Pascot	Revised giving consideration to 2011 Independent External Audit findings
2.4	19 <sup>th</sup> September 2013	Luke Pascot	Revised after DPE feedback during the 7.5 to 10 MTPA approval process
4	6 <sup>th</sup> August 2014	Luke Pascot	Revised giving consideration to 2014 Independent External Audit findings
5	3 <sup>rd</sup> November 3, 2017	Luke Pascot	
10	10 <sup>th</sup> December 2019	Luke Pascot	Annual Revision
11	14 <sup>th</sup> September 2020	Luke Pascot	Review following 2020 Triennial Audit, no specific recommendations from audit.
12	12 <sup>th</sup> February 2021	Luke Pascot	Review and update following DPIE RFI and PKCT site separation for AIE site.
13	9 <sup>th</sup> September 2022	Michael Curley	Annual review – no changes made.
14	21 <sup>st</sup> August 2023	Luke Pascot	Annual review – no material changes made. Updates to document I.D's where required.

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## 1. INTRODUCTION

### 1.1 Purpose

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 Transport for NSW (TfNSW) (formerly Roads and Maritime), Department of Environment & Climate Change (DECC) and the PKCT Community Consultative Committee. The DCC was submitted to the Director General of the Department of Planning, Industry and Environment (DPIE) on 20<sup>th</sup> February 2009. 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."

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.

### 1.2 Background

PKCT provides a coal product receipt, storage and ship loading service to its customers. PKCT is located on north side of the inner harbour and operates premises leased from NSW Ports.

The PKCT has been in operation since 1990 and operates under an Environmental Protection Licence (EPL No. 1625) in accordance with the *Protection of the Environment Operations Act 1997* (POEO Act).

The DCC requires that specific measures are developed and implemented by PKCT, Shippers and their Road Transport Providers to focus on opportunities to minimise, mitigate and manage traffic volume, traffic safety and acoustic impact. The DCC applies to heavy haul traffic movements to and from the PKCT, and on the PKCT site itself.

As part of the Environmental Assessment for "Existing Operations and Increased Road Receipt Hours at Port Kembla Coal Terminal (PKCT)", a commitment was made that PKCT shall prepare and implement a DCC for haulage trucks delivering to the PKCT road receipt areas.

The DCC has been developed in consultation with PKCT, Shippers and their associated Road Transport Providers, TfNSW the Environment Protection Authority (EPA) (formerly the Department of Environment & Climate Change) and the PKCT Community Consultative Committee (CCC).

By letter of the 20<sup>th</sup> February 2009, the DCC was submitted by PKCT to the Director General of the New South Wales Department of Planning (now the Department of Planning Industry and Environment (DPIE)). The DCC formed part of the subsequent DPIE Project Approval 08\_0009.

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### 1.3 Objectives

The objectives of the DCC are to:

- Ensure compliance with the conditions associated with the DPIE Project Approval 08\_0009 with consideration of matters raised during the consultation process
- Ensure compliance with the DCC and therefore the PKCT conditions of consent by all heavy haul road users with PKCT's DPIE Project Approval 08\_0009
- Minimise impacts on the community as much as possible
- Encourage an environment for safe operations associated with PKCT road delivery operations
- Maximise public safety by adhering to the Australian road rules and ensure all potential road safety issues are reported to the TfNSW Transport Management centre 131700.

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## 2. RESPONSIBILITIES

The roles and responsibilities relevant to the DCC are defined in Table 1 below.

**Table 1 DCC Responsibilities**

Role	Responsibility
PKCT employees, contractors and site personnel	<p>All PKCT employees, contractors and other site personnel are responsible to comply with this management plan.</p> <p>PKCT employees, contractors and other site personnel must take appropriate action detailed in this management plan in accordance with PKCT's legal and environmental obligations</p>
Environmental Specialist	Is responsible to the HSER Superintendent for the coordination and implementation of the DCC to PKCT site operations.
Health Safety Environment and Risk (HSER) Lead	Is responsible to the General Manager for the implementation of DCC procedures in accordance with relevant legislation and guidelines.
Operations Manager	Is responsible for managing and supporting the shift and daywork teams to effectively and safely operate the business in line with customer, community and regulator expectations.
Maintenance Superintendent	Is responsible to the General Manager for work execution ensuring plant and equipment is maintained to be reliable and effective.
Asset Manager	Is responsible for asset management and planning, ensuring plant and equipment is fit for purpose and maintained to be reliable and effective.
General Manager	Is responsible for the legislative governance of this DCC in accordance with site operations, policies and procedures.



### 3. STAKEHOLDERS

There are several stakeholders who have different responsibilities across the coal supply chain, these are summarised in Table 2.

**Table 2 Coal Supply Chain Stakeholders**

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

The responsibilities of stakeholders are summarised in Table 3 below.

**Table 3 Stakeholders Responsibilities**

Responsibility	By Whom
<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.
<b>Quarterly Meetings</b>	<p>PKCT to convene meetings, develop agenda, take minutes and monitor progress of actions.</p> <p>Shippers and Road Transport Providers are to regularly attend meetings. Typically, meetings are quarterly, at a minimum 3 meetings per annum.</p>

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Responsibility	By Whom
Annual Review of DCC & Report through Annual Environment Management Report (AEMR)	PKCT
Induction to DCC  Operation of a Driver Induction Program incorporating DCC requirements ensuring all drivers (including sub contractors) are aware of their DCC obligations.	Road Transport Providers
Review of Driver Induction Programs and development of Co-ordinated Induction Program	Shippers, Road Transport Providers & PKCT by 31 <sup>st</sup> March 2010  Status: complete
Implementation of Revised and Co-ordinated Driver Induction Program	Transport Providers by 30 <sup>th</sup> September 2010  <i>Status: complete</i>
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.	Road Transport Providers
Compliance monitoring, recording and reporting of breaches to DCC	Shippers, Road Transport Providers & PKCT
Contractual arrangements with Road Transport Providers which facilitate compliance with DCC, including performance management processes	Shippers
Independent Environmental Audit of Traffic Management	PKCT

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#### 4. IMPLEMENTATION PROGRAM

This DCC 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 (AEMR)
3. Key operational focus areas
4. Driver Induction Program and ongoing management.
5. Audits and enforcement.

##### 4.1 Commitment to DCC

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 Report (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

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information contained in Table 4 below has been audited. Where items are quantifiable (i.e. tonnages), numerical data must be supplied in the reports.

**Table 4 Monthly Report Contents**

Item	Description
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	<p>Declaration that Performance Monitoring undertaken i.e. Behavioural Observations, Audits or Task Observations (TO) have covered DCC requirements including the following:</p> <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.

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### 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 DPIE 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.

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## 4.4 Driver Induction Program and Management

### 4.4.1 Induction to DCC

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,

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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, Enforcements 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 TO form consists of three parts;

- a) Mine site
- b) Mine to PKCT
- c) At PKCT.

TO's can be used to cover the mine to PKCT haulage route or part thereof. The TO 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.

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PKCT has an auditing schedule in place for PKCT personnel to schedule and track TO's 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 TO's 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 DPIE 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

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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) **2nd 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 their second warning and that a third will result in the driver being precluded from entering PKCT of the second warning.

- (3) **3rd 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.

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## 5. REFERENCES

Heavy Vehicle National Law NSW 2018

PKCT *Driver's Code of Conduct ST.010*, Port Kembla Coal Terminal

PKCT *Road Receival Coal Tipping Protocol Work Instruction WI.007*, Port Kembla Coal Terminal

PKCT *Traffic Management Plan MP.003*, Port Kembla Coal Terminal

PKCT *Drivers Code of Conduct – Signed Commitment Letters*, Port Kembla Coal Terminal

PKCT *Drivers Code of Conduct CTO*, Port Kembla Coal Terminal

PKCT *Drivers Code of Conduct Monthly Report*

Workplace Health and Safety Act 2011

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