

Road taskforce meeting No. 20
15 July 09

The minutes of meeting No.19, held on Wednesday 1st July 2009 were confirmed by the Taskforce members.

Update on progress towards implementing the Government's response to IPART.

ACTION ITEM #19/02

Sydney Ports is to re-issue a letter that was previously sent to shipping lines regarding demurrage charges and force majeure issues. The re-issued letter is to incorporate the issues of container detention charges when time slots are cancelled by stevedores in periods of general congestion and not just in force majeure scenarios.

ACTION ITEM #19/04

Slide 12 of the Operation Performance Management presentation is to be edited. The use of the word "approved" on slide 12 is to be replaced with the word 'consultation'. The action is COMPLETE

ACTION ITEM #19/05

The Taskforce is to provide feedback and suggestions on the renaming of the use of the phrase 'force majeure'.

ACTION ITEM #19/07

At the request of a Taskforce member Sydney Ports are to provide a definition of 'stack runs' and a summary of the rules pertaining to stack runs that are currently in use.

FORCE MAJEURE:

Discussions were held regarding the renaming of the phrase 'force majeure' due to advice received from the insurance and legal representatives of some stakeholders. A Taskforce member suggested the phrase 'unforeseen events' be used in place of "force majeure".

Sydney Ports reiterated to the Taskforce that discussions on 'unforeseen events' are simply a discussion and not an agreement.

Patrick vocalised its concerns with the proposed conflict resolution process, suggesting Sydney Ports should not be involved in the conflict resolution process and that disputes should be resolved directly between road carriers and the stevedores. Sydney Ports and the road carriers represented refuted this suggestion. An ATA representative suggested that an independent arbitrator should be incorporated into the dispute resolution process.

ACTION ITEM #20/01

Sydney Ports to review dispute resolution process regarding unforeseen events and provide feedback to the Taskforce at the next meeting

ACTION ITEM #20/02

Stevedores to provide standards for their official measurements (air temperature, wind speed, visibility etc.) according to the OH&S policies that could impact landside logistics and potentially be deemed as an unforeseen events.

ACTION ITEM #20/03

Patrick to provide the Taskforce with information regarding the phrasing of potential industrial action, that might affect landside logistics. This is to be used for reference in the unforeseen events standards.

Discussion then turned to consider vessel delays and the affect they have on landside logistics. Discussions were held regarding whether or not vessel delays should fall under unforeseen events for landside logistics. A variety of opinions were expressed and it was concluded that if vessel delays are reported, within the agreed timeframes, then stevedores can not be held liable for the resulting landside logistics impact.

ACTION ITEM #20/04 (05)

Sydney Ports and stevedores to revise vessel delays into the unforeseen events standards

Relating to unforeseen events for the road operators, a Taskforce member expressed concern over the exclusion of RTA operations and road closures from unforeseen events. Taskforce members provided examples of situations where trucks had been pulled over by the RTA for lengthy periods leading to the vehicle being delayed for its time slot at the terminal. Sydney Ports advised that unless carriers could provide proof of the event occurring within the port precinct (i.e. RTA inspection stamp) then it could not be included as an unforeseen event. The carriers were tasked with finding a means to provide the necessary proof and report back to the Taskforce at the next meeting.

ACTION ITEM #20/06

Carriers to provide the Taskforce with identified road closures within the port precinct that would affect access to the stevedores and therefore be included within the unforeseen events standard.

ACTION ITEM #20/07

Sydney Ports to research and report back to the Taskforce the manner in which the RTA declares and publishes road closures.

ACTION ITEM #20/08

Mr Tzaneros to research possible solutions to rectify excluding RTA inspections from unforeseen events.

TRUCK ARRIVAL ANALYSIS AND FEEDBACK:

This was not discussed due to lack of time. To be carried forward to the next meeting.

SUMMARY OF PPP FEEDBACK TO DATE:

This was not discussed due to lack of time. To be carried forward to the next meeting.

TECHNOLOGY:

Mr Dragicevich provided a brief update on the billing EOI, advising that an information session was held and when applications would close.

OTHER BUSINESS:

Mr Benson tabled the results of the response from shipping lines in response to a letter regarding container detention that was issued earlier in the month. .