

Cruise Vessel Booking Protocol - 2020

Commercial Notice


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PORTS MELBOURNE**

The logo for Victorian Ports Melbourne, featuring a dark blue triangle pointing downwards, partially overlapping the text.

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Approval history

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1 Definitions

- **Booking application window (BAW)** means the period from the commencement of the annual scheduling season, 1 July of each year to 31 August of the same year (two months).
- **Business day** means a day that is not a Saturday, Sunday, public holiday in Melbourne, Australia.
- **Cruise booking portal** means the section of the Victorian Ports Corporation (Melbourne) (VPCM) website available to cruise operators to apply for cruise vessel call bookings for the port of Melbourne.
- **Cruise operator** means the entity who has lawful authority from a cruise line and the applicant cruise ship in relation to all aspects of the VPCM cruise booking protocol and who will become jointly liable for any relevant fees and charges by completing a confirmation of authorisation form to that effect.
- **Cruise season** means the 12-month period of each year from 1 July to 30 June. The seasons will be referred to with the prefix CS followed by the last two digits of the year e.g. 19-20 as a suffix.
- **Cruise season schedule** means the published schedule of cruise ship port calls to the port of Melbourne for a cruise season.
- **Cruise terminal berth** means any of the four berths at Station Pier. These berths are referred to as the Inner East (IESP), Outer East (OESP), Inner West (IWSP) and Outer West (OWSP). The IESP is currently used by TT-Line.
- **Homeporting** means the use of a port for multiple scheduled turnaround cruise vessel calls during a cruise season.
- **Part exchange call** means a passenger ship which has a significant proportion of its passengers disembarking (>50% of capacity or 500 passengers), some passengers disembarking on a temporary basis before returning to the ship and new passengers embarking, as evidenced by the relevant customs declaration.
- **Passenger exchange** means that the incoming passengers disembark and new passengers embark.
- **Passenger aggregate** means the product of the number of confirmed cruise vessel call bookings by an individual ship within a cruise season schedule, multiplied by the ship's maximum passenger capacity.
- **Peak season** means the period from 1 October to 30 April of each cruise season.
- **PortVIEW** means the VPCM port management information system that is used for notification and exchange of information between the port of Melbourne service suppliers.
- **Port Information Guide** means the Port Information Guide that is published on the VPCM website.
- **Reference Tariff Schedule** means the VPCM Reference Tariff Schedule (RTS), as amended from time to time and published on the VPCM website that sets out details for port charges. These charges include, but are not limited to, wharfage, tonnage, berth hire, site occupation charges, security and traffic control.
- **Ship's agent** means the ship's (shipping or ship) agent who is authorised by the cruise vessel owner, operator or manager to manage a cruise vessel call at the port of Melbourne on behalf of the owner, operator or manager.
- **Site Occupation Charge** means the charge applied to cruise vessels at Station Pier. The Site Occupation Charge (SOC) is calculated on a per passenger basis and is based on the

incoming passenger numbers as recorded in the ship's inward passenger manifest declaration and excludes non-revenue passengers such as crew, entertainers and hospitality staff.

- **Transit call** means a port call by a cruise ship where a significant number of the incoming passengers disembark (>50%) on a temporary basis before returning to the ship to continue their journey, as evidenced by the relevant customs declaration.
- **Turnaround call** means port call by a cruise ship where a significant number of its incoming passengers disembark (>75%) at the end of a voyage, before a new group of passengers embark to commence a voyage.
- **Vessel call** means a combination of both the arrival to and departure from a berth of an individual cruise ship on a specified date and during specified times. A vessel call is normally one 24-hour period corresponding to a calendar day. Sequential 24-hour periods to a maximum of three calendar days (72 hours) are possible by application.
- **Vessel call booking** means the submission of a booking application by a cruise operator and the acceptance of a booking and publication of a vessel call in the VPCM cruise season schedule.

2 Preamble

The *Transport Integration Act 2010* (Vic) details the function of Victorian Ports Corporation (Melbourne) (VPCM), these functions include the development, management and operation of Station Pier and West Finger Pier.

VPCM is required to ensure that the infrastructure, assets, environmental and amenity management at Station Pier meets the needs and requirements of the industry while delivering an appropriate level of commercial return to VPCM and the wider Victorian economy.

Accordingly, the protocol outlined in this document sets out the VPCM policies and procedures for the management of cruise vessel call bookings for the port of Melbourne.

Each cruise season runs for a one-year period from 1 July to 30 June.

The cruise season is aligned with Australian financial years (FY). Cruise vessel call bookings will be accepted by VPCM for cruise vessel calls up to four years in advance.

The first cruise season where VPCM has not accepted bookings is Cruise Season (CS) 23-24.

3 Aim

The aim of this protocol is to provide certainty to cruise operators of Station Pier berth and terminal availability by implementing a formal booking protocol in July 2020 for CS 23-24.

Following the initial booking window in 2020 the bookings for the pending cruise season (CS 20-21) will be confirmed and the following two seasons (CS 21-22 through to CS 22-23) will be updated and republished. The new bookings for CS 23-24 will also be published on the VPCM website.

4 Existing bookings

As at 1 August 2019 the cruise season schedules for CS 19-20, 20-21, 21-22 and 22-23 have been published on the [VPCM website](#).

The bookings shown on the website at this time for the four seasons have been scheduled by VPCM and the Standard Terms and Conditions for the hire of VPCM Common Use User Wharves and Terminals apply.

5 Implementation

5.1 Implementation date

The implementation date of this protocol is 1 July 2020.

5.2 Introduction of a booking deposit and a cancellation charge

This protocol includes the introduction of a deposit for a confirmed cruise vessel call booking and a charge for cancellation of confirmed bookings.

The introduction of a deposit and cancellation charge are to ensure that booking requests are bona fide and seek to ensure equitable allocation of available berth and terminal facility capacity to cruise operators.

5.2.1 Booking deposit

The booking deposit will be applied from the booking BAW that opens in July 2020 only for new bookings in CS 23-24.

5.2.2 Cancellation charge

The first cruise season where a charge for a booking cancellation will be applied is CS 21-22. This will allow bookings that have been made for CS 21-22 to be cancelled and released for use by other cruise operators.

6 Booking applications

Booking applications for a cruise vessel call will be made by cruise vessel owners, operators or managers using the format of the on-line portal. The application format that forms part of the on-line portal is attached as Attachment 1 to this protocol.

The Port Information Guide includes the application format attached as Annex 8.1.

6.1 Booking application window

Booking applications for a cruise vessel call will be accepted annually within the BAW. The BAW will open at 0900 hours AEST on 1 July each year for a two-month period during which cruise operators will be invited to apply for available capacity for cruise ship vessel calls in the next cruise season and the following three cruise seasons.

Once the BAW closes at 0900 hours AEST on 31 August each year all of the booking applications for cruise vessel calls received will be reviewed, categorised and scheduled in accordance with (iaw) para 6.4.

6.2 Published cruise vessel schedule

The confirmed cruise vessel call bookings and indicative berth allocations for the current and following three cruise seasons (four cruise seasons in total) will be made available to all cruise operators and VPCM stakeholders in the format of cruise season schedules published on the VPCM website. The schedule will be published on 1 September or the next business day following 31 August each year and updated periodically as changes necessitate.

6.2.1 Changes or amendments

The published VPCM cruise season schedules will be updated as changes or amendments occur and will be published on the VPCM website.

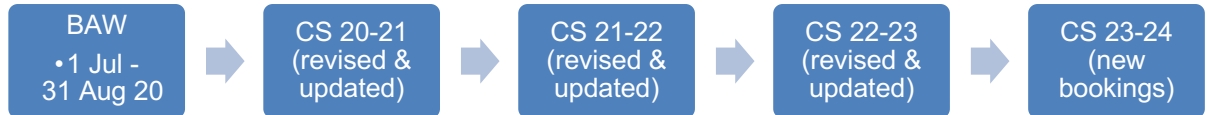
6.2.2 Example of the 2020 BAW process

Following the BAW (1 July to 31 August 2020) the schedule for the next four seasons will be published on 1 September 2020.

The BAW will be the first opportunity for bookings to be made for CS23-24. Applications for available berths will be incorporated into the published schedules.

This is example shown in Figure 1.

Figure 1 – The 2020 BAW and the applicable cruise seasons



6.2.3 Bookings outside the BAW

After 1 September each year cruise operators may apply for any remaining available berth and terminal capacity for the published seasons on a first in-first served basis.

Bookings for published schedules outside the BAW will be accepted at any time. Updated schedules will be published periodically.

6.3 PortVIEW

In order to ensure appropriate port services are provided, all confirmed cruise vessel call bookings must be entered as ship movements by the ship's agent into PortVIEW, the VPCM port management system.

Ship movements associated with a cruise vessel call are to be entered into PortVIEW 48 hours in advance of the cruise vessel ETA at the pilot boarding ground (PBG).

6.4 Categorisation and prioritisation of applications

6.4.1 Categories

Cruise vessel call applications received during the BAW will be collated and categorised in order to develop the schedule of cruise ship port calls for the port of Melbourne. The criteria for categorisation of applications have been developed to ensure the efficient year-round use of the available VPCM cruise ship berths and terminal facilities at Station Pier. The categories used are as follows:

- Turnaround call
- Part exchange call
- Transit call

6.4.2 Prioritisation within categories

Where cruise vessel call applications are received from cruise operators seeking the same vessel call date and the applications exceed the available berth and/or terminal capacity of Station Pier the vessel call application will be prioritised and the applications will be allocated against the available VPCM berths and facilities or other available berth and/or facility in the port of Melbourne in order to develop a cruise season schedule as follows:

- Priority 1: a vessel that uses port of Melbourne as a homeport for all or part of a cruise season
- Priority 2: a one-day turnaround vessel call
- Priority 3: a part exchange vessel call
- Priority 4: a transit vessel call
- Priority 5: any other types of vessel calls

6.4.3 Ordering within priority classification

Where there are one or more cruise ships applying for the same vessel call date and the ships have the same category and priority then the ships will be ordered within the priority classification in descending order based on:

- the lowest number of Friday, Saturday or Sunday vessel calls requested during a season
- the passenger capacity (for single vessel call bookings)
- the highest passenger aggregate (for vessels using port of Melbourne as a home port).

6.5 Advice of unsuccessful booking applications

During the BAW, VPCM will liaise with cruise operators to ensure that their requirements can be accommodated. VPCM will advise cruise operators of unsuccessful booking applications as soon as practicable after the close of the BAW.

6.6 Swapping of vessel call booking

Following publication of the cruise season schedule for the port of Melbourne on 1 September each year cruise operators may apply to VPCM to swap confirmed vessel call bookings between ships of the same cruise operator or between cruise operators. Agreement between the cruise operators must be reached to the proposed vessel call booking swap prior to seeking the concurrence from VPCM to amend the published cruise season schedule. A booking swap has no effect unless it is approved by VPCM and published in the schedule shown on the VPCM website.

VPCM will consider the operational efficiency and cost impacts of a booking swap when deciding whether or not to approve requests for changes.

If a vessel call booking swap is approved, VPCM will issue a vessel call booking confirmation in addition to the publishing of the amended cruise season schedule.

6.7 Booking deposit

A successful booking application will attract a booking deposit¹ once the vessel call is published in the cruise season schedule

The booking deposit will be payable once the cruise season schedule is published. The booking deposit is non-refundable. The amount of the booking deposit will be offset against the SOC component of the final invoice issued by VPCM at the completion of the vessel call or any applicable cancellation fee. In the event of a cancellation the booking deposit will not be refunded, it will however be offset against any cancellation charge that may be payable.

¹ The booking deposit for CS 23-24 will be AUD8000 excluding GST per vessel call booking.

7 Booking cancellations

Requests to cancel a vessel call booking once published in the VPCM cruise season schedule should be in writing via email to VPCM by the cruise operator using the email address cruise@vicports.vic.gov.au.

Cancellation of a confirmed vessel call booking by a cruise operator will incur a cancellation charge. The cancellation charge is based on the notional SOC² for the vessel based on the vessel's declared maximum passenger capacity.

² The SOC for FY19/20 is AUD20.50 excluding GST per passenger in accordance with the FY19-20 RTS.

7.1 Calculating a cancellation charge

The amount of a cancellation charge will be based on the notice given that the booking will be cancelled. The cancellation charge that will be applied if a booking for a confirmed vessel call booking is cancelled is as follows:

- Up to 6 months from the booked vessel call date: 100% of the notional maximum SOC
- From 6 to 12 months from the booked vessel call date: 30% of the notional maximum SOC
- from 12 to 24 months from the booked vessel call date: 15% of the notional maximum SOC at the time of the cancellation
- 24 months or more from the booked vessel call date: 5% of the notional maximum SOC at the time of the cancellation

The amount of a cancellation charge payable will be calculated as follows:

- Maximum passenger vessel stated capacity x SOC at the time of the cancellation iaw the RTS x Applicable % given the notice provided = Cancellation Fee.
- As an example, a vessel with a maximum passenger capacity of 1500 that cancels a booking for February 2020 in August 2019 has provided seven months notice so a cancellation fee equivalent to 30% of the base SOC based on the charge applicable at the time of the booking will be payable.
- This example calculates as 1500 passengers x AUD20.50 SOC per passenger x 30% = AUD9225.00.³

³Based on the SOC contained in the FY19-20 RTS.

7.2 Waiving of a cancellation charge

VPCM will waive the charge for cancelling a vessel call booking where there is an exceptional adverse weather event as assessed by the Harbour Master. Applications for waiver of the booking cancellation charge should be made in writing to the Chief Executive Officer, VPCM. Failure to pay cancellation charges may affect the ability of a cruise vessel operator on behalf of the cruise ship to make further vessel call bookings.

If a cruise operator cancels a vessel call booking but is able to replace it with a cruise ship of equal or greater passenger capacity, thereby maintaining the same category of port call and prioritisation, the application will be treated as a proposed vessel call swap.

If it is approved as a vessel call swap, a cancellation charge will not be applied.

7.3 Effective date

Cancellation charges will be applicable to all vessel call bookings confirmed by cruise operators and accepted by VPCM from 1 July 2021.

This means that all current bookings that have been submitted by cruise operators and/or ship's agents that are not cancelled by cruise operators prior to 1 July 2021 will be subject to a cancellation charge.

8 Discretion of VPCM

VPCM retains full discretion as to whether it accepts any booking application, including but not limited to where there is a clash between vessel call bookings. In determining whether or not to accept a booking application, VPCM will have regard to all applicable VPCM and other Victorian Government policies.

VPCM retains full discretion in the development of the cruise season schedule and as follows:

- Allocation of berth arrival and departure times.
- Allocation of specific Station Pier berths and other port of Melbourne berths, from the time of the vessel call booking confirmation to the date of the vessel call.
- A vessel call can be split between berths at the absolute discretion of VPCM.
- All bookings to cruise terminal berths will be limited to a maximum visit duration of three days (72 hrs) during peak season.
- Cruise vessels can only berth at another berth within the port of Melbourne if a berth at Station Pier is not available.

- Cruise ships not berthed at Station Pier must arrange services amenities at the ship's own expense if passenger handling is required. Suitable infrastructure is to be installed to facilitate passenger handling and comply with the berth operator's Maritime Security Plan.

VPCM may cancel or amend the cruise season schedule at any time for any reason, in its absolute discretion. VPCM bears no liability to a cruise vessel operator or any other person whatsoever as a result of the cancellation or alteration of a vessel call booking.

9 Attachment

1. Cruise ship vessel call booking format

VPCM Cruise Vessel Call Booking Application

Cruise Season	
Cruise Owner, Operator or Manager	
ABN of the Cruise Owner, Operator or Manager	
Vessel Name	
IMO number	
GRT	
LOA	
Maximum passenger capacity	
Maximum crew capacity	
Agent	
ETA (Date/Time)	
ETD (Date/Time)	
Preferred berth (if known)	
Gangway requirement	
Vessel call type (transit/turnaround)	
Forecast passenger embarkation	
Forecast passenger disembarkation	
Previous port	
Next port	
Other vessels in port	
Planned maintenance	
Planned storing activity	
Special requirements	
Remarks	

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