



MINUTES OF THE 2015/16 1ST QUARTER PORT OF CAPE TOWN PORTS CONSULTATIVE COMMITTEE MEETING

09:00 Thursday 23 July 2015, 9th Floor, TNPA House, Port of Cape Town

ATTENDANCE

Members

Mr Mthunzi Madiya	Department of Transport –Chairperson
Ms Selma Schwartz-Clausen	SAMSA PCC Secretariat
Captain Vernal Jones	Transnet National Ports Authority – Harbour Master
Mr Siphon Nzuza	Transnet National Ports Authority – Port Manager
Mr Mazwi Mdletshe	Transnet National Ports Authority
Mr Neville Askew	Labour: UNTU
Ms Rukiah Peterson	Labour: SATAWU
Mr Cecil Petros	Labour: SATAWU
Mr Julian Hurrie	Port Users: Terminal Operators/ Lessees/ Stevedores
Mr Steve Janssen	Port Users: Terminal Operators/Lessees/Stevedores
Mr Ricardo Muller	Port Users: Cargo Owners / Freight Forwarders/Road Hauliers/ Landside Logistics
Mr Mike Walwyn	Port Users: Cargo Owners / Freight Forwarders / Road Hauliers / Landside Logistics

Observer Status

Ms Jowie Mulaudzi PRSA Representative

APOLOGIES:

Members: Table reflects member absence / apologies on a quarterly basis providing a full year summary

*Absent with apology // ** absent without an apology // NA = Not applicable

Constituency	Members	Q 1	Q2	Q 3	Q 4
TNPA	Harbour Master	Captain Vernal Jones			
	Port Manager	Mr. Siphon Nzuza			
	Port Planning and Development	Ms Lindo Mkhize	x		
	Port Engineer	Mr Mazwi Mdletshe			
Port Users:	Cargo Owners / Freight Forwarders / Road Hauliers / Logistics	Mr. Ricardo Muller			
		Mr Mike Walwyn			
	Terminal Operators / Lessees / Stevedores	Mr. Julian Hurrie			
		Mr. Steve Janssen			
	Shipping Lines, Agents, Oil & Gas, Ship Repair, Fishing	Captain Sumeet Bhardwaj	x		
		Mr. Tim Reddell	X		
Government	Local	Mr. Donald Cupido			
	Provincial	Mr Yongama Ndungane			
Labour	UTATU SARWHU	Neville Askew			
	SATAWU	Ms Rukiah Petersen			
		Mr Cecil Petros			
SAMSA	Mr. Gustav Louw				

Other Attendees

PCC Secretariat

Ms Fuzlin Khamissa

Transnet National Ports Authority

Ms Phyllis Difeto – COO Transnet National Ports Authority

Department of Transport

Ms Yolanda Pillay

Ms Bonisiwe Mhlango

Mr Abram Chego

Representing Port User

Mr Driaan Pretorius – Viking Fishing

PRESENTATIONS

TNPA

Ms Unathi Malinze

Item per Allocated Time Slots

TNPA Feedback – Port Performance

Abbreviations

ADG	Acting Director General
ACE	Acting Chief Executive
Capex	Capital Expenditure
CE	Chief Executive
CEO	Chief Executive Officer
CDC	Coega Development Corporation
CTCT	Cape Town Container Terminal
Copex	Capitalised Operational Expenditure
DCT	Durban Container Terminal
DG	Director General
DDOP	Durban Dig-Out Port
DOT	Department of Transport
DHA	Department of Home Affairs
DPE	Department of Public Enterprise
DTI	Department of Trade & Industry
EIA	Environmental Impact Assessment
GRT	Gross Registered Tonnage
IMDG	International Maritime Dangerous Goods
IMO	International Maritime Organization
ISPS	International Ship and Port Security
MESA	Middle Eastern Central Africa
MPT	Multi- Purpose Terminal
MW	Maydon Wharf
NCT	Ngqura Container Terminal
NPCC	National Ports Consultative Committee
NPUF	National Port Users Forum
OBO	On behalf of
ODG	Office of the Director General
PCC	Ports Consultative Committee
PDFP	Port Development Framework Plan
PECT	Port Elizabeth Container Terminal
PRSA	Ports Regulator South Africa
RCYC	Royal Cape Yacht Club
SAASOA	South African Association of Ships Operators and Agents
SAMSA	South African Maritime Safety Authority
SATAWU	South African Transport and Allied Workers Union
SBM	Single Buoy Mooring
SEZ	Strategic Economic Zone
SPM	Single Point Mooring
TNPA	Transnet National Ports Authority
TOPS	Terminal Operator Performance Standards
T/S	Transshipments
TPT	Transnet Port Terminals
UNTU	United National Transport Union
V & A	Victoria and Alfred
WCIDP	West Coast Infrastructure Development Plan

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ ACTION/S
	Confirmation of attendance confirms that the Port of Cape Town PCC quorate.	
1.4.	<p>ADOPTION OF THE AGENDA OF THE 23 JULY 2015.</p> <p>The Agenda was moved for acceptance by Mr Mike Walwyn and supported by Mr Julian Hurrie.</p> <p>Declaration of Interest</p> <p>The Chairperson advised that the Declaration of Interest will be circulated if necessary.</p>	
1.4.1.	<p>ADOPTION OF THE MINUTES OF THE MEETING OF 05 FEBRUARY 2015</p> <p>The Minutes of the 05 February 2015 was motioned for adoption by Mr Gustav Louw and supported by Mr Neville Askew subject to the following changes:</p> <p>Page 7 Item 3.1.8 should read: Feedback which was provided by the PRSA was that the regulatory committee would be having a meeting on 6th February 2015.</p> <p>Page 8 Item 3.1.8 g should read: Concerns were raised in respect of the TNPA being transparent with regards to the methodology and numbers that was forwarded to the PRSA with the tariff application.</p>	
SECTION 2: EXTERNAL PRESENTATIONS		
2.1	<p>DAFF presentation</p> <ol style="list-style-type: none"> DAFF was previously invited to make a presentation at the Port of Cape Town PCC meetings. They were presented with the schedule of meetings and invited to the 3rd and 4th quarter 2014/2015 and 1st quarter 2015/2016 Port of Cape Town PCC meetings respectively. DAFF committed to make same presentation previously but could regrettably not make representation due to circumstances at the time. Prior to this meeting a further request was forwarded by the Secretariat who was advised that the presentation would be forwarded by DAFF to be circulated to all members. At the time of this meeting, the presentation has was still to be received. The Chairperson requested that the Secretariat draft a letter to be send to the DDG of DAFF. It was also suggested that DPW be invited to do a presentation with regards to the rehabilitation of small harbours in the Western Cape. 	<p>DAFF Presentation</p> <p>Action 1: Secretariat to draft letter to DDG of DAFF.</p> <p>An invitation to be extended to DAFF to do presentation regarding small harbours.</p>
SECTION 3: MATTERS ARISING FROM THE MEETING OF 05 FEBRUARY 2015		
3.1	<p>TNPA Ship Repair Facility</p> <ol style="list-style-type: none"> At the 3rd Quarter PCC, the project to upgrade the Ship Repair Facility was part of the presentation. The PCC members for the Port of Cape Town requested that the business case for this expenditure be presented at the 4th Quarter PCC meeting as this expenditure was not presented to the meeting. It was agreed that the TNPA would present its Business Case at the 4th Quarter PCC meeting. At the 4th Quarter PCC, TNPA advised that they were not ready to present the requested Business Case and it would be presented at the 2015/16 1st Quarter 	<p>TNPA Integrated Ship Repair Strategy</p> <p>Action: 2</p> <p>Ship Repair Strategy to be a standing item on the agenda for all Ports.</p>

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ ACTION/S
	<p>PCC meeting.</p> <ul style="list-style-type: none"> c. TNPA has now advised that a decision was made not to proceed with this CAPEX item and therefore no business case will be presented to the PCC. This matter will be closed. d. It was agreed that the Ship Repair Strategy remain a standing item on the agenda at all ports. <p>Floating crane</p> <ul style="list-style-type: none"> a. The Harbour Master informed the meeting that TNPA was still procuring the unit. It was noted that the process was taking longer than expected. Update will be provided at the next PCC meeting. b. The Port Manager questioned the need for the floating crane noting that operations continued notwithstanding the fact that the crane has been out of commission for an extended period of time. c. Further observations were noted regards the floating crane being out of commission for 2 years which to be investigated in respect of the impact on operations. d. The Port Manager advised that TNPA planned to conduct a study to assess the viability of the crane together with the need to have a floating crane available. e. A study to be done regarding need and depending of the outcome, TNPA will take up the suggestion made by the SAMSA representative. f. Update will be given at the next PCC meeting. <p>Underwater Surge caused by the Long Wave</p> <ul style="list-style-type: none"> a. It was reported at the 4th Quarter 2014/2015 PCC meeting that Phase 1, which entails the collection of data by CSIR, was completed. b. Phase 2 which includes the procurement of a service provider, to find solutions to the underwater surge was underway. c. The meeting reminded as previously agreed that TNPA will involve Shipping Lines in resolving the underwater surge caused by the long wave. d. Update will be given at the 2nd quarter PCC meeting. <p>3.1.4 Aids to Navigation</p> <ul style="list-style-type: none"> a. With regards to the new leading lights, the Harbour Master reported that the new lights were in place and the old lights were removed. Matter closed out and will be removed from Matters Arising and the Agenda. <p>3.1.5 IMDG Training</p> <ul style="list-style-type: none"> a. DOT provided feedback with regards to the proposed IMDG training for the various ports. Two prong approach: b. First round of training being offered: <ul style="list-style-type: none"> I. It was agreed between DOT and the IMO that the IMDG training will be held in the Kwazulu-Natal region. Same training was confirmed for 31 August to 04 September 2015 at the Garden Court South Beach, Durban. All involved in IMDG related activities were invited to participate by submitting their names to DOT and the Secretariat. The meeting was further advised that the training venue could only accommodate a limited number of people. II. DOT sponsored the cost of the IMDG training. Attendees responsible for all other related logistical expenses such as travelling and accommodation etc. c. Regional roll-out: <ul style="list-style-type: none"> I. It was decided that training for Dangerous Goods will be done on a regional bases consistent with what was previously requested by the PCCs. II. Dates for this training will be circulated as soon as confirmation is 	<p>Action 3: Floating crane: Update to be provided at the next PCC with regards to the repair of the floating crane as well as study to be undertaken by TNPA</p> <p>Action 4: Underwater surge caused by the long wave update: Update will be given at the next PCC meeting with regards to the progress made with the study.</p> <p>Action 5: IMDG Training: Dates for further training will be circulated once confirmation has been received from DOT.</p>

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ ACTION/S
	received from DOT.	
SECTION 4: STANDING ITEMS		
4.1	<p>TNPA Presentation</p> <p>Full presentation to be attached to Minutes.</p> <p>TOPS:</p> <ol style="list-style-type: none"> The Chairperson enquired as to the ramifications where Terminal Operators did not meet targets to which the TNPA responded that there were no penalties introduced as yet. The Ports Regulator requested that that the installed norm be defined; Further request from Port Users that all measurements be changed to gang hour dependent on cranes. <p>Capital Projects:</p> <p>It was reported that the business case for the Replacement of cranes at the Ship Repair facility will be presented at the next PCC meeting.</p> <p>Bunker lines at Chevron have been decommissioned due to maintenance and feedback will be given by TNPA at the next PCC meeting.</p> <p>Port Nolloth:</p> <ol style="list-style-type: none"> A presentation regarding the proposed rehabilitation of the Port Nolloth infrastructure was presented by TNPA. Cost of rehabilitation estimated at R60 million and was included in the Port of Cape Town CAPEX plan. The Chairperson enquired whether the TNPA was aligned with the Northern Cape Provincial aspirations for the Port of Port Nolloth. He encouraged TNPA to have discussions with the Northern Cape Provincial Government. The Secretariat was requested to circulate all previous presentations regarding Port Nolloth to all PCC members. The business case for the Refurbishment of Port Nolloth was supported by the Port of Cape Town PCC members. <p>Port Development Framework Plan</p> <ol style="list-style-type: none"> The PCC for the Port of Cape Town supported that the Port of Cape Town proceeded with the CAPEX plans as presented at the recent roadshow. The Secretariat will circulate all the questions and comments received at the PDFP roadshow to the Port Managers for formal written response where after it will be placed on the PCC website. <p>Secretariat Note:</p> <p>Prior to the 1st Quarter PCC meeting, the comments / questions were forwarded to the office of the TNPA COO for dissemination to all the PCCs.</p>	<p>TNPA Presentation</p> <p>Action 6: TOPS: TNPA to define installed norm and change measurements to gang hours.</p> <p>Action 7: TNPA to present the Business Case for the Replacement of cranes Business Case at the next PCC meeting.</p> <p>Action 8: Port Nolloth: Secretariat to circulate all Port Nolloth presentations to the PCC members</p> <p>Action 9: The Secretariat to forward the questions/comments received at the PDFP roadshow to all Port Managers</p>
4.2	LABOUR FEEDBACK	
	<p>4.2.1 UNTU</p> <ol style="list-style-type: none"> It was noted that National Office Bearers for both UNTU and SATAWU requested to be involved in the drafting of the Labour Guidelines. The Secretariat noted that a meeting will be scheduled in Johannesburg in pursuance of finalising the labour guidelines. 	<p>Action 10: Date for Labour guidelines to be communicated.</p>

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	c. Update will be given at the next PCC meeting.	
:	4.2.1 SATAWU a. No feedback at this meeting.	
4.3	Port User Feedback	
	4.3.1 Cargo Owners / Freight Forwarders / Road Hauliers / Logistics etc. a. The PCC representative gave feedback with regards to the scanners at TPT. A meeting will be held between industry and SARS to resolve issues with TPT. b. The Port Manager advised that TNPA was aware of the issues. c. It was reported that hauliers were experiencing delays as long as 90min. d. The Chairperson advised that this issue should have been raised during the Terminal Operators performance presentation. The Port Manager undertook to raise haulier delays with the Operations Manager to discuss further with the Terminal Operator. e. An update will be provided at the next meeting.	Action 11: Haulier delays – Long waiting periods: Port Manager to follow up with Terminal Operator.
	4.3.2 Shipping Lines / Agents / Ship Repairs etc. a. The Secretariat has advised that Mr. Gerry Klos tendered his apology as previously indicated. b. The fishing representative requested clarification on the following: <ul style="list-style-type: none"> - The decommissioning of the JBS pipeline and the effect it is having on South Arm Road. - The closing of Robinson Dry dock for 3 months every year or 2nd year which results in the fishing industry having to apply to SAMSA for Haul extension. Clarification was sought as to why there could not be two caissons. An update was sought with regards to the cranes at Robinson Dry Dock? a. Responses: <ul style="list-style-type: none"> - Port Manager responded as follows: The issue of the decommissioning of the JBS pipeline was addressed earlier. He clarified that the decommissioning was due to infrastructure maintenance. TNPA shared the concerns expressed by the Port User representative and advised that TNPA was looking into the matter. - SAMSA indicated that an application was received to bring in a tanker to the Port where the product will be offloaded directly onto the trucks. - SAMSA further advised that the application was approved subject to TNPA's final approval. - The Chairperson enquired whether it would be requested from JBS to make a presentation to indicated their plans to which the Secretariat replied that according to process for the PCC especially the Protocol of Meetings, the representative is advised to write to the TNPA detailing all the concerns and only if the matter is not resolved, will it be raised at the next PCC meeting at which time JBS will be requested to provide a portfolio of evidence. - Update will be given at the next PCC meeting. - With regards to the caisson issue, the Port Manager responded that he was informed that industry was advised of the closing of Robinson Dry Dock for maintenance and they had all agreed. - The Port Manager further advised that the cranes at Robinson Dry Dock were part of TNPA CAPEX programme and Operation Phakisa and the matter was progressing. 	
	4.3.3 Terminal Operators / Lessees / Stevedores etc. a. The PCC representative said that he would like to commend the Port Manager and his team at the Port of Cape Town for always resolving issues prior to it having to be presented at the PCC meetings.	

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4.4	Government Feedback	
	<p>4.4.1 Department of Transport (DOT)</p> <ul style="list-style-type: none"> a. The Ports Act review as well as the Single Transport Economic Regulator matter is currently and item on the NPCC Agenda. b. Feedback will be given after the next NPCC meeting which is scheduled to take place on the 28th August 2015. c. With regards to Operation Phakisa, the Chairperson advised that DOT together with SAMSA in its oversight role is working to achieve all the deliverables. d. There are 18 initiatives of which DOT was responsible for 5. e. The refurbishing projects noted to be covered by the TNPA OPEX budget; Development projects at Saldanha, East London and Richards Bay – meeting informed that TNPA will approach the market for funding. f. Transition Advisers have been employed by TNPA to assist. DOT has expressed its concern with this process. g. The Chairperson briefly reflected on DOT’s recent visit to China and the interest shown with regards to the Port of Richards Bay. h. Feedback will be ongoing. 	
	<p>4.4.2 Provincial Government</p> <p>No updates for this meeting.</p>	
	<p>4.4.3 Local Government</p> <ul style="list-style-type: none"> a. It was reported that a local transport authority and Intermodal Planning Committee was established. b. Local Government confirmed that it will prepare a presentation for the next PCC meeting. c. The City indicated its interest in sending some of people to the IMDG training especially from the road traffic control department. 	<p>Action 12: Local Government Presentation will be prepared by Local Government for the next PCC meeting</p>
	<p>4.4.4 Other National Departments</p>	
4.5	<p>Ports Regulator South Africa -</p> <ul style="list-style-type: none"> a. Feedback was provided by Ms Jowie Mulaudzi. b. The draft Tariff Strategy was published on the 31st of March for comment; c. Nine written submissions were received; d. Two focus groups (government and port pricing experts) were held in May; e. Four roadshows were held in June for industry and other stakeholders; f. The Regulator thanks PCC members for their attendance and their comments –a long list of 100 suggestions and comments from the Roadshows and the submissions which we have considered carefully and incorporated where necessary into the Strategy; g. The updated Tariff Strategy expected to be finalised within the month and will be circulated through the PCC Secretariat and published on the PRSA website upon completion. h. Implementation of the Tariff Strategy will begin with the 2016/17 tariff book; i. All cargo dues line items will converge towards the base rate determined in the strategy annually (depending on sensitivity analysis) until, ideally, 5 lines remain; j. Marine services will be run on a ghost system for 2016/17 and applied in 2017/18; k. Annual monitoring of all elements of the strategy will take place; 	

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	<ul style="list-style-type: none"> l. Phase 3 has already commenced – this includes finalising the beneficiation strategy, reviewing the tariff methodology and valuation of assets. m. The Tariff Application will be submitted by NPA to the Regulator on the 1st of August 2015; n. There will be a comment period of at least 30 working days and roadshows will take place, most likely in September. o. Tribunal Update - A decision has been made regarding a private container terminal at the Port of Richards Bay – that will be published on the website next week; p. Regulatory Review - As discussed in previous PCC, the PRSA are doing a self - evaluation and completed a web-survey which we will send out to our database via a link. q. The Secretariat noted the change in Call for comments during Tariff Strategy process: the PRSA called for consultations post the comment period. Secretariat has indicated to PRSA staff that Port Users have requested that PRSA consider having the consultation process prior to the comments period. The Secretariat advised that this request will be formally forwarded to the PRSA. 	
4.6	<p>SAMSA</p> <ul style="list-style-type: none"> a. For noting, the SAMSA representative reminded the meeting that the verifiable gross mass of all containers must be determined prior to loading onto any vessel with effect from July 2016. b. The method of weighing must still be determined. c. It was said that it is also the responsibility of the road hauliers and the representative commented that the responsibility was with both the consignee and the consignor and that companies were installing weighing devices on their premises. d. The Harbour Master asked who the custodian will be of this to which the response was that a Marine Notice has been drafted and circulated. e. SAMSA will provide update at the next meeting. 	<p>Action 13: SAMSA representative to forward the Marine notice previously circulated. Secretariat to circulate same to all.</p>
4.7	<p>PCC ADMINISTRATION</p> <ul style="list-style-type: none"> a. PCC website – from this point going forward all documentation pertaining the PCC meetings e.g. Minutes, presentations will be uploaded onto the PCC website and a link will be forwarded to all PCC members. b. Protocol of Meeting review –Inputs has been received. All comments to be escalated to the NPCC representative and will be further discussed. c. PCC Induction –Sessions were held across the country with and three sessions were held in Cape Town at the RCYC and the attendance was not as was hoped however this is an ongoing process. d. The Secretariat will circulate the Freight Demand Strategy as well as the Minutes of the last NPCC meeting. 	
SECTION 5: COOPERATIVE GOVERNMENT		
5.1		
SECTION 6: NPCC		
6.1	<p>Date of next NPCC</p> <p>Next NPCC meeting to be held on 28th August 2015. Confirmation will be forwarded to all NPCC Reps.</p>	
SECTION 7: NEW ITEMS		

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ ACTION/S
SECTION 8: AGREED RESOLUTIONS & ACTION ITEMS		
8.1	<ul style="list-style-type: none"> a. DAFF presentation: The Secretariat will again request the DAFF presentation and circulate to all PCC members. If members need any clarity, comments will be forwarded to the Harbour Master’s office. b. Ship Repair Strategy (extension of the Repair Quay) TNPA advised that a decision was made not to proceed with this CAPEX item and therefore no business case will be presented to the PCC. This matter will be matter will be closed. The Chairperson requested that the Ship Repair Strategy be added to the standard Agenda as a standing item c. Floating Crane: The Harbour Master reported that the units are still outstanding for the repair of the floating crane. Port of Cape Town is also currently busy with a study to establish the viability/need for a floating crane taking into consideration that it has not been fully utilized during the past 2 years. d. Underwater surge: Phase 1 – data collection was completed. Phase 2 – a service provider to be sourced to do investigation regarding the damages caused and also the cause. TNPA will include shipping lines in this process. e. Aids to Navigation: New leading lights are in place and the old leading lights have been removed. Matter is finalised and will be taken off the Matters Arising. f. Labour UNTU PCC representative to provide feedback to Secretariat regarding National Office bearer decision on drafting of Labour Guidelines. Once feedback is received, a workshop will be scheduled. g. IMDG Training: IMO confirmed that due to financial constraints, the IMDG training will only take place in KZN region during September 2015. DOT confirmed that UN Dangerous Goods training will be provided on a regional basis once a suitable service provider has been secured. Dates and venues will be circulated once confirmed.DOT reiterated that it was awaiting feedback from the IMO with regards to confirmation of training. h. TNPA Presentation: The updated TNPA presentation will be circulated. i. Replacement of crane at Ship Repair business case will be presented at the 2nd Quarter PCC. j. Port of Port Nolloth: Presentation regarding the Refurbishment of Port Nolloth business case was accepted and approved by the PCC meeting.Update will be ongoing. k. Port Development Framework Plan (Port of Cape Town Roadshow) - The PCC for the Port of Cape Town supported TNPA Port of Cape Town to proceed with CAPEX and OPEX as presented at the PDFP roadshow. Secretariat will forward questions / comments received at the roadshow directly to all Port Managers for response. l. Local Government: Presentation will be presented at the next PCC meeting regarding the Freight transport model by the City of Cape Town. 	
SECTION 9: ANNOUCEMENTS AND CLOSURE		
9.1	<p>DATE AND VENUE FOR NEXT MEETING</p> <p>The next meeting is scheduled to take place at 09:00 Thursday 15th October 2015.</p>	
9.2.	<p>CLOSURE</p> <p>The Acting Chairperson thanked everyone for their contributions and inputs. The meeting was adjourned.</p>	

Approved by

PCC Chairperson

Date

PCC Secretariat

Date