



**1<sup>ST</sup> QUARTER 2015/16 MINUTES: PORT OF RICHARDS BAY PORTS CONSULTATIVE COMMITTEE MEETING Held  
09h00 Wednesday 29 July 2015 at the TNPA Offices, Port of Richards Bay**

### Members

Mr Mthunzi Madiya	Department of Transport – Chairperson
Ms Selma Schwartz-Clausen	South African Maritime Safety Authority – Head of the PCC and NPCC Secretariat
Captain Sabelo Mdlalose	Transnet National Ports Authority – Harbour Master
Mr Preston Khomo	Transnet National Ports Authority – Port Manager
Mr Basil Ngcobo	Transnet National Ports Authority
Mr Pat Dorkin	Provincial Government
Mr Chris Stretch	Provincial Government
Mr Jan Greyling	Port User: Cargo Owners / Shipping Lines / Agents / Bunkers
Mr Garth Wilson	Port User: Cargo Owner / Shipping Lines / Agents / Bunkers
Mr Jabu Mdaki	Port User: Terminal Operator / Lessees / Stevedores
Ms Jabulile Madonsela	Labour: UNTU
Mr Winston Lobo	SAMSA

### Observer Status

Ms Joanne Parker	Ports Regulator
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### 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 Sabelo Mdlalose				
	Deputy Harbour Master					
	Port Manager	Mr. Preston Khomo				
	Port Planning and Development	Mr. Basil Ngcobo				
Port Users:	Cargo Owners / Shipping Lines / Agents / Bunkers	Mr. Jan Greyling				
		Mr. Garth Wilson				
	Terminal Operators / Lessees / Stevedores	Mr.				
		Mr.				
Shipping Lines/ Agents/ Ship Repair	Mr Roelof Camminga	*				
Government	Local	Mr. Mthokozisi Mhlongo	**			
	Provincial	Mr. Pat Dorkin				
		Mr Chris Stretch				
Labour	UTATU SARWHU	Ms Jabulile Madonsela				
	SATAWU	Mr. Nhlanhla Mdletshe	**			
SAMSA	Captain Winston Libo					

**Present**

Mr Herbert Madonsela  
Ms Fuzlin Khamissa  
Mr Chuma Mpahlwa  
Mr Sabelo Nxele  
Mr Brian Latha  
Ms Yolanda Pillay  
Ms Bonisiwe Mhlanga  
Ms Mashudu Memahid

Transnet National Ports Authority  
SAMSA PCC Secretariat Support  
Department of Transport  
Transnet Port Terminals  
Ports Regulator  
Department of Transport  
Department of Transport  
Department of Transport

## Abbreviations

ADG	Acting Director General
ACE	Acting Chief Executive
CEO	Chief Executive Officer
Capex	Capital Expenditure
CE	Chief Executive
Copex	Capitalised Operational Expenditure
CTCT	Cape Town Container Terminal
CDC	Coega Development Corporation
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
SARHWU	South African Railways and Harbour Unions ***
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
UTATU	United Transport and Allied Trade Union
V & A	Victoria and Alfred
WCIDP	West Coast Infrastructure Development Plan

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ ACTION/S
<b>SECTION 1: PROCEDURAL MATTERS</b>		
1.	<p><b>WELCOME</b></p> <p>The Chairperson Mr Muthunzi Madiya introduced himself as being appointed the new Chairperson for the PCC meetings.</p> <p>He welcomed all and requested all present to introduce themselves and declared the meeting open.</p>	
1.1	<p><b>Safety Briefing – Mr Preston Khomo, Port Manager</b></p> <p>A safety briefing was given by TNPA highlighting that everyone should vacate the building calmly in the event of a continuous alarm sound.</p>	
1.2	<p><b>APOLOGIES</b></p> <p>Apologies as noted.</p>	
1.3	<p><b>QUORUM</b></p> <p>In determining whether the meeting quorate attendance of members was noted, confirming representation in accordance with the Ports Act and Regulations as follows;</p> <p><b>1.3.1 Transnet National Ports Authority</b></p> <p>1.3.1.1 Harbour Master representative: Captain Sabelo Mdlalose</p> <p>1.3.1.2 Two Person other than Harbour Master: Mr Preston Khomo – Port Manager Mr Basil Ncogobo</p> <p><b>1.3.2 Port Users</b></p> <p>1.3.2.1 Mr Jabu Mdaki                                      Port Users: Terminal Operator / Stevedore / Lessee</p> <p>1.3.2.2 Not represented                                      Port User: Shipping Lines / Agents / Ship Repairs /</p> <p>1.3.2.3 Mr Jan Greyling                                      Port User: Cargo Owners/Shipping Lines / Agents/ Bunkers</p> <p>1.3.2.3 Mr Garth Wilson                                      Port User: Cargo Owners/Shipping Lines / Agents / Bunkers</p> <p><b>1.3.3 Provincial Government</b></p> <p>1.3.3.1 Mr Pat Dorkin                                      Provincial Government</p> <p>1.3.3.2 Mr Chris Stretch                                      Provincial Government</p> <p><b>1.3.4 Local Government</b></p> <p>1.3.4.1 Not represented</p> <p><b>1.3.5 Organised Labour</b></p> <p>1.3.5.1 Ms Jabulile Madonsela                                      Labour: UNTU</p> <p><b>1.3.6 SAMSA</b></p> <p>1.3.6.1 Mr Wilson Lobo</p> <p><b>1.3.7 Chairperson</b></p> <p>1.3.7.1 Mr Mthunzi Madiya</p>	

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ ACTION/S
	Confirmation of attendance confirms that the Port of Richards Bay PCC did not quorate.	
1.4.  1.4.1	<p><b>ADOPTION OF THE AGENDA OF THE 29 JULY 2015</b></p> <p>The Agenda was motioned for adopted by Mr Basil Ngcobo and seconded by Mr Jan Greyling</p> <p><b>Declaration of Interest</b></p> <p>Noted that there was no interest declared.</p>	
1.4.1.	<p><b>ADOPTION OF THE MINUTES OF THE MEETING 11 FEBRUARY 2015</b></p> <p>The Minutes subject to amendments was motioned for adoption by Mr Basil Ngcobo and seconded by Mr Jan Greyling.</p>	
<b>SECTION 2: MATTERS ARISING FROM THE PREVIOUS MEETING</b>		
2.1	<p><b>Presentation by IDZ</b></p> <p>a. The Secretariat indicated that the IDZ has agreed to make a presentation at the next PCC which is scheduled for the 21 October 2015.</p>	<p><b>Action 1:</b></p> <p>IDZ: Matter was deferred to the next PCC meeting</p>
<b>SECTION 3: MATTERS ARISING FROM THE MEETING OF 01 SEPTEMBER 2014</b>		
3.1	<p><b>KPI/TNPA Presentation</b></p> <p>a. Meetings held across the port system. This was followed by a sub-committee meeting chaired by the Harbour Master.</p> <p>b. Lack of engagement was noted between TPT and its customers. A further meeting was held with Terminal Operators 30 June at which time it was noted that there was little progress made. It was confirmed that KPIs were not signed off.</p> <p>c. The Port Manager suggested that KPIs be mapped. He highlighted that where Port Users may have concerns regards the Terminal Operators that same issue be raised with TNPA as the custodian of the TOPS process.</p> <p>d. The Chairperson explained that Terminal Operators felt that TPT was treated differently by TNPA due to the Shareholders Compact and would overrule the TNPA in terms of performance as the shareholders compact says differently.</p> <p>e. TNPA to meet with the Port users and provide an update at the next meeting.</p>	<p><b>Action 2:</b></p> <p>KPIs: Port users to meet with the Terminal Operator. TNPA and port users to meet and provide an update at the next meeting.</p>
3.2	<p><b>Stakeholder Database</b></p> <p>a. TNPA forwarded the latest stakeholder database to the Secretariat.</p> <p>b. Secretariat is in process to clean up TNPA database and it will be circulated to the Port Users in 3 weeks' time or as soon as same is ready.</p>	<p><b>Action 3:</b></p> <p>Database to be forwarded to all Port User Representatives.</p>
3.3	<p><b>Heavy Lift Cargo – Feedback</b></p> <p>a. At the 4<sup>th</sup> Quarter 2014/15 PCC meeting it was reported that a letter was drafted and signed by the Port Manager where after it was forwarded but no progress was made on this matter and discussions were still ongoing.</p> <p>b. Issue to be raised to Port Manager first thereafter if not resolved it will follow</p>	<p><b>Action 6:</b></p> <p>Heavy Lift Cargo: Feedback will be given at the next PCC meeting.</p>

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ ACTION/S
	<p>Protocol of Meeting process.</p> <p>c. Port User will speak to the relevant parties and give feedback at the next PCC meeting.</p>	.
<b>3.4</b>	<p><b>IMDG Training</b></p> <p>a. DOT provided feedback with regards to the proposed IMDG training for the various ports. Two prong approach:</p> <p>b. First round of training being offered:</p> <p style="padding-left: 20px;">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.</p> <p style="padding-left: 20px;">II. DOT sponsored the cost of the IMDG training. Attendees responsible for all other related logistical expenses such as travelling and accommodation etc.</p> <p>c. Regional roll-out:</p> <p style="padding-left: 20px;">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.</p> <p style="padding-left: 20px;">II. Dates for this training will be circulated as soon as confirmation is received from DOT.</p>	<p><b>Action 8 :</b></p> <p><b>IMDG Training:</b> Dates for further training will be circulated once confirmation has been received from DOT.</p>
<b>3.5</b>	<p><b>Nomination &amp; Election process</b></p> <p>a. Feedback will be given by the Secretariat at the next PCC meeting.</p>	<p><b>Action 9:</b></p> <p>Nomination and Election Process: Feedback at next PCC meeting</p>
<b>SECTION 4: STANDING ITEMS</b>		
<b>4.1</b>	<p><b>TNPA</b></p> <p>Presentation to be attached.</p> <p><b>PDFP roadshow</b></p> <p>The PCC members for the Port of Richards Bay is supporting the TNPA PDFP as presented at the roadshow.</p> <p><b>TOPS</b></p> <p>a. It was noted that Engen Petroleum was in agreement with the ship working hour targets. .</p> <p>b. The Chairperson enquired about the verification of KPI measures such as dwell times. TNPA responded that calculation was based on what has handled.</p> <p>c. Questions regards berth productivity benchmarking was raised. The meeting was reminded that same will be in place from year 3 onwards. Targets for year 3 was ready to be signed off by the TNPA CE.</p> <p>d. Issue of dwell times was further discussed in particular 21 day cargo dwell times. Meeting was reminded that the aim was to ensure that cargoes do not stay in the port for long periods. Furthermore that that TPT charges storage after 21 days. Actual performance was reported to be 5 days although the questionable target is 21 days. Five days as a target was seemingly proposed as unreasonable.</p>	

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	<p><b>CAPEX</b></p> <p>a. It was requested that the helicopter project be prioritized.</p>	
<b>4.2</b>	<b>LABOUR FEEDBACK</b>	
	<p><b>4.2.1 UNTU</b></p> <p>a. No update at this meeting.</p> <p>b. National Labour advised previously that they were not present at the Labour Guidelines workshop due to logistics costs. The Secretariat reminded all that DOT consistently paid for all travelling expenses.</p> <p>c. It was agreed that a meeting will be scheduled in Johannesburg or Pretoria with the National Office Bearers to discuss the guidelines prior to the 2<sup>nd</sup> quarter PCC meetings. Dates will be advised.</p>	<p><b>Action 10:</b> Labour Guidelines to be finalised.</p>
	<p><b>4.2.2 SATAWU</b></p> <p>a. SATAWU was not represented.</p>	
<b>4.3</b>	<b>Port User Feedback</b>	
	<p><b>4.3.1 Cargo Owners / FF / Road Hauliers / Container Depots</b></p> <p>a. No issues to raise at this meeting. Once database is received from the Secretariat the representative will communicate with industry.</p>	
	<p><b>4.3.2 Shipping Lines / Agents / Oil &amp; Gas / Ship Repair / Fishing</b></p> <p>a. PCC representative tendered his apology and therefore no update.</p>	
	<p><b>4.3.3 Terminal Operators / Stevedores / Lessees</b></p> <p>a. No further issues to raise.</p>	
<b>4.4</b>	<b>Government Feedback</b>	
	<p><b>4.4.1 Local Government</b></p> <p>a. No issues to report on.</p>	
	<p><b>4.4.2 Provincial Government</b></p> <p>a.</p>	
	<p><b>4.4.3 Department of Transport (DOT)</b></p> <p>a. The Ports Act review as well as the Single Transport Economic Regulator matter is currently being dealt with at the NPCC.</p> <p>b. Feedback will be given after the next NPCC meeting which is scheduled to take place on the 28th August 2015.</p> <p>c. With regards to Operation Phakisa, the Chairperson advised that DOT together with SAMSA with an oversight role is working to achieve all the deliverables.</p> <p>d. Eighteen initiatives were noted with DOT being responsible for 5 of the initiatives.</p> <p>e. The refurbishing projects will be covered by TNPA OPEX budget however with regards to development projects at Saldanha, East London and Richards Bay, TNPA will approach the market for funding.</p>	

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	<ul style="list-style-type: none"> <li>f. Transition Advisers have been employed by TNPA to assist. DOT expressed concerns with the process.</li> <li>g. Feedback will be ongoing.</li> </ul>	
	<p><b>4.4.4 Other National Departments</b></p>	
<p><b>4.5</b></p>	<p><b>Ports Regulator South Africa -</b></p> <ul style="list-style-type: none"> <li>a. Feedback was provided by Ms Jowie Mulaudzi.</li> <li>b. The draft Tariff Strategy was published on the 31st of March for comment;</li> <li>c. Nine written submissions were received;</li> <li>d. Two focus groups (government and port pricing experts) were held in May;</li> <li>e. Four roadshows were held in June for industry and other stakeholders;</li> <li>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;</li> <li>g. The updated Tariff Strategy should be finalised within the month and will be circulated through the PCC secretariat and published on our website upon completion.</li> <li>h. Implementation of the Tariff Strategy will begin with the 2016/17 tariff book;</li> <li>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;</li> <li>j. Marine services will be run on a ghost system for 2016/17 and applied in 2017/18;</li> <li>k. Annual monitoring of all elements of the strategy will take place;</li> <li>l. Phase 3 has already commenced – this includes finalising the beneficiation strategy, reviewing the tariff methodology and valuation of assets.</li> <li>m. The Tariff Application will be submitted by NPA to the Regulator on the 1st of August 2015;</li> <li>n. There will be a comment period of at least 30 working days and roadshows will take place, most likely in September.</li> <li>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;</li> <li>p. Regulatory Review - As discussed in previous PCC, the PRSA was doing a self - evaluation and completed a web-survey which we will send out to its database via a link.</li> </ul>	
<p><b>4.6</b></p>	<p><b>SAMSA</b></p> <p>No feedback at this meeting.</p>	
<p><b>4.7</b></p>	<p><b>PCC ADMINISTRATION</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>b. Protocol of Meeting review – several inputs has been received. All comments to be escalated to the NPCC representative and will be further discussed.</li> <li>c. PCC Induction – sessions were held across the country. Sensitizing port users an ongoing process.</li> <li>d. Freight Demand Strategy as well as the Minutes of the last NPCC meeting to be circulated.</li> </ul>	
<p><b>SECTION 5: COOPERATIVE GOVERNANCE</b></p>		
<p><b>5.1</b></p>	<p>PSP Framework to be presented once presented at the PCC once presented at the NPCC.</p>	



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<b>SECTION 6: NPCC</b>		
<b>6</b>	<p><b>FEEDBACK:</b></p> <p>The NPCC representative gave feedback stating that there was 2 NPCC meetings. During the first meeting the TNPA presented volumes.</p> <p>The 2<sup>nd</sup> NPCC meeting was a special meeting where the freight demand model was presented and discussed.</p> <p>The next NPCC meeting is scheduled to take place at the Port of Richards Bay on 28<sup>th</sup> August 2015.</p>	
<b>SECTION 7: NEW ITEMS</b>		
<b>7.1.</b>	<p><b>New Items</b></p> <p>No new items were noted.</p>	
<b>SECTION 8: AGREED RESOLUTIONS &amp; ACTION ITEMS</b>		
<b>8.1</b>	<ul style="list-style-type: none"> <li>a. IDZ Presentation: A formal invitation was forwarded to the IDZ to make presentation has been accepted and will be presented at the 2nd Quarter PCC meeting.</li> <li>b. KPI/TNPA/Terminal Operators: KPI Sub-committee meetings took place at all Ports. Those present at the sub-committee meetings had agreed to the measures. Port Users will engage with TPT as TPT customers and TNPA as the custodian of the process. Feedback will be provided prior to the 2nd Quarter PCC meeting.</li> <li>c. Stakeholders Data Base: Database has been received from TNPA and the Secretariat will clean up the database and thereafter circulate to Port User Representatives.</li> <li>d. Letter of Appointment: All addresses for the Port of Richards Bay PCC members were received by the Secretariat. Chairperson to enquire whether the letters could be handed out to PCC members by the Minister at the World Maritime Day celebrations on 23 September 2015 in Richards Bay.</li> <li>e. Heavy lift cargo: Issues to be raised to the Port Manager first and thereafter if not resolved, it will follow the Protocol of Meeting process. Feedback will be given prior to the 2nd Quarter PCC</li> <li>f. IMDG Training: DOT reported that due to financial constraints IMDG training provided by IMO will only take place in the KZN region (Durban) from 31/8 to 04/09. UN Dangerous Goods training will however take place regionally and logistics will be communicated shortly.</li> <li>g. Nomination and Election Process: Secretariat finalising process. Feedback will be given at the next PCC meeting</li> <li>h. TNPA Port Development Framework Plan – CAPEX, Port Performance, Port Planning The presentation by TNPA on 25 May 2015 was supported by the Port of Richards Bay PCC members</li> <li>i. Labour Guidelines: Same process will be finalised. Dates will be communicated.</li> <li>j. National Ports Act Review: Suggested amendments by PCC members to the National Ports Act have been submitted. Issue is currently on the Agenda of the NPCC. Feedback will be given after the next NPCC meeting which is scheduled to take place on 28 August 2015.</li> <li>k. Single Transport Economic Regulator: Issue is on the agenda at the NPCC. Feedback will be given after the next NPCC meeting which is scheduled to take place on 28 August 2015.</li> <li>l. PSP Framework: The DOT PSP Framework will be presented to all Ports at the 2nd Quarter PCC meeting or once available.</li> </ul>	

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<b>SECTION 9: ANNOUCEMENTS AND CLOSURE</b>		
9.1	<b>DATE AND VENUE FOR NEXT MEETING</b> The next meeting is scheduled to take place at 09:00 21 October 2015 at TNPA offices.	
9.2.	<b>CLOSURE</b> The Chairperson thanked everyone present for their contributions to the meeting and the meeting was adjourned.	

Approved by

\_\_\_\_\_  
PCC Chairperson

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Date

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Head of the PCC and NPCC Secretariat

\_\_\_\_\_  
Date