



# transport

Department:  
Transport  
REPUBLIC OF SOUTH AFRICA



## MINUTES OF THE 2015/16 1<sup>ST</sup> QUARTER PORT OF SALDANHA PORTS CONSULTATIVE COMMITTEE MEETING

10:00 Wednesday 17 July 2015 at the TNPA Offices, Port of Saldanha

### ATTENDANCE

#### Members

Mr Mthunzi Madiya	National Department of Transport -Chairperson
Ms Selma Schwartz-Clausen	South African Maritime Safety Authority –
Ms Fuzlin Khamissa	South African Maritime Safety Authority - Secretariat Support
Captain Quenton Brink	Transnet National Ports Authority – Harbour Master (joined meeting at 10h25 due to meeting with agents)
Mr Willem Loux	Transnet National Ports Authority (Port Manager)
Ms Abigail Links	Transnet National Ports Authority
Mr Yongama Ndungane	Provincial Government
Mr Charles Barends	Local Government: Saldanha
Mr Marius Meiring	Local Government: Saldanha
Mr Arthur Martin	Port User: Terminal Operator / Lessees / Stevedores
Mr Frikkie Burger	Port User: Cargo Owners/ Freight Forwarders / Road Hauliers / Landside Logistics
Ms Sibongile Mbonyana	Labour: UNTU
Mr Martin Slabber	SAMSA

#### Observer Status

Ms Joanne Parker PRSA Representative (arrived at 10h58)

#### 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 Quenton Brink				
	Deputy Harbour Master					
	Port Manager	Mr. Willem Roux				
	Financial Manager	Ms Abigail Links				
Port Users:	Cargo Owners /Shipping Lines / Agents / Bunkers	Mr Frikkie Burger				
		Mr Graeme Clemitson	x			
	Terminal Operators / Lessees / Stevedores	Mr. Arthur Martin				
		Mr. Adil Rodgers	x			
Shipping Lines / Agents / Oil & Gas/ Ship Repair / Fishing	Mr. Steve Hrabar	x				
	Mr. Grant Gorton	N/A				
Government	Local	Mr. Charles Barends				
	Provincial	Mr. Yongama Ndungane				
Labour	UTATU	Ms. Sibongile Mbonyana				
		Mr Mzwandile Mhlakela	x			
	SATAWU	Mr. Siyabulela Mfazo	x			
		Mr Johannes Tobias	x			
SAMSA	Mr. Martin Slabber					

**Other Attendees**

Mr Chuma Mpahlwa  
Mr Louis Scheepers  
Mr Leigh Hartnick  
Mr Rejean Viljoen

National Department of Transport  
Local Government  
TPT – Iron Ore Dust study presentation  
TPT – Iron Ore Dust study presentation

## 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
DIRCO	Department of International Relations & Cooperation
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
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>DOT was represented by Mr Mthunzi Madiya and Mr Chuma Mphalwa. Mr Madiya welcomed all to the 2015/2016 1<sup>st</sup> Quarter PCC meeting for the Port of Saldanha. This was followed by a round of introductions where after the meeting was declared open.</p> <p>The Secretariat advised that apologies were received and it was reported that the schedule for the 2015/2016 PCC and NPCC meetings was circulated on previous occasions and unfortunately TNPA had requested a change of date for the Port of Saldanha PCC meeting which resulted in PCC members not being able to attend.</p>	
1.1	<p><b>Safety Briefing</b></p> <p>The standard safety presentation was done by TNPA. It was highlighted that there was no evacuation exercise planned for the day and that everyone should vacate the building calmly in the event of a continuous alarm sound and follow protocol as was explained.</p>	
1.2	<p><b>APOLOGIES</b></p> <p>Apologies noted.</p>	
1.3	<p><b>QUORUM</b></p> <p>In determining whether the meeting quorate member attendance 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 Quenton Brink</p> <p>1.3.1.2 Two persons other than Harbour Master: Mr Willem Roux Ms Abigail Links</p> <p><b>1.3.2 Port Users</b></p> <p>1.3.2.1 Mr Frikkie Burger Port User: Cargo Owners / Shipping Lines / Agents / Bunkers</p> <p>1.3.2.3 Mr Arthur Martin Port User: Terminal Operator / Lessees / Stevedores</p> <p><b>1.3.3 Provincial Government</b></p> <p>1.3.3.1 Mr Yongama Ndungane</p> <p><b>1.3.4 Local Government</b></p> <p>1.3.4.1 Mr Marius Meiring</p> <p>1.3.4.2 Mr Charles Barends</p> <p><b>1.3.5 Organised Labour</b></p> <p>1.3.5.1 Ms Sibongile Mbonyana</p> <p><b>1.3.6 SAMSA</b></p> <p>1.3.6.1 Mr Martin Slabber</p> <p><b>1.3.7 Chairperson</b></p> <p>1.3.7.1 Mr Mthunzi Madiya</p> <p>Confirmation of attendance confirms that the Port of Saldanha PCC did not quorate.</p>	

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ ACTION/S
1.4.	<p><b>ADOPTION OF THE AGENDA 17 JULY 2015</b></p> <p>The agenda was motioned for adoption by Mr Martin Slabber and seconded by Captain Quenton Brink subject to an additional item to be added under 7.1 New Items regarding a formal complaint received from a Port User regarding the Iron Ore dust issue in the Port of Saldanha.</p> <p><b>Declaration of Interest</b></p> <p>Following the outline of the Agenda it was confirmed that there were no issues to be declared.</p>	
1.4.1.	<p><b>ADOPTION OF THE MINUTES OF THE MEETING 04 FEBRUARY 2015.</b></p> <p>The Minutes for the 1<sup>st</sup> Quarter PCC meeting for the Port of Saldanha was motioned for adoption by Ms Abigail Links and seconded by Mr Arthur Martin.</p>	
<b>SECTION 2: EXTERNAL PRESENTATIONS</b>		
2.1	<p><b>Visa requirements impacting on crew changes - Bi-Lateral Agreements:</b></p> <ul style="list-style-type: none"> <li>a. An invitation was extent to DTI by the Secretariat to do a presentation at the 1<sup>st</sup> quarter Port of Saldanha PCC meeting. The Presentation had to be deferred to the second quarter PCC meeting.</li> <li>b. The Secretariat was informed that the presentation would be made available ahead of the meeting. Same presentation was still outstanding at the time of the meeting. It was agreed that DTI will again be contacted and requested to forward the presentation to the Secretariat where after it will be circulated to all PCC members.</li> <li>c. Matter to remain on the Agenda.</li> </ul>	<p><b>Action 1: Bi-Lateral Agreements: DIRCO</b></p> <p>Presentation to be requested and forwarded to all PCC members.</p>
2.2	<p><b>Private Sector Participation Framework: DOT / DPE and Transnet</b></p> <ul style="list-style-type: none"> <li>a. It was agreed at the 2014/15 4<sup>th</sup> Quarter PCC meeting that DOT, DPE and Transnet will be invited to make presentations at a date that will be circulated to all members.</li> <li>b. At the last NPCC meeting held during March 2015 TNPA presented their PSP Framework at which time the DTI, DOT and DPE advised that they were not ready.</li> <li>c. The Chairperson enquired as to what the reason was for DTI, DPE and Transnet each having its own PSP stating that there should be one PSP for one Government.</li> </ul>	<p><b>Action 2: PSP Framework</b></p> <p>PSPs to be presented once available.</p>
2.3	<p><b>Iron Ore dust and corrosion effects – Presentation by TPT</b></p> <ul style="list-style-type: none"> <li>a. The Secretariat contextualised the submission of the issue being raised in relation to the Issue Escalation process.</li> <li>b. A presentation was made by the TPT representative regarding the study on the Iron Ore dust emission issue experienced in the Port of Saldanha and surrounding areas.</li> <li>c. The Chairperson asked whether the iron ore issue was a national issue or provincial issue to which the SBM responded that the effects / impact of dust emissions was not limited to the Port area instead had had a wider visible spread across the greater Saldanha Bay Community.</li> <li>d. Terms of Reference and of the TPT study and funding for same was questioned.</li> </ul>	

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	<p>It was noted that TPT paid for the study.</p> <ul style="list-style-type: none"> <li>e. Meeting enquired and briefly discussed the NPA was satisfied with the interventions being considered and operationalized by TPT to remedy the iron ore dust emission situation.</li> <li>f. Issue of timelines was discussed noting that the corrosion effects of the iron ore dust was not included in the study presented by TPT. Further highlighted that compensation was not part of the study.</li> <li>g. It was highlighted that the matter was to be further discussed. Complainant was to present its view.</li> </ul>	
<b>SECTION 3: MATTERS ARISING FROM PREVIOUS MEETING</b>		
<b>3.1.</b>	<p><b>3.1.1 Utilization / supply of electricity</b></p> <ul style="list-style-type: none"> <li>a. It was previously requested that TNPA provide a schedule of the actual requirements for electricity aligned with the port expansion.</li> <li>b. TNPA reported that the land use and road layout was being finalised by the IDZ.</li> <li>a. It was agreed that this matter will be finalised by the 2<sup>nd</sup> Quarter PCC meeting and feedback will be provided by TNPA.</li> </ul> <p><b>3.1.2 IMDG Training</b></p> <ul style="list-style-type: none"> <li>a. DOT provided feedback with regards to the proposed IMDG training for the various ports.</li> <li>b. DOT and the IMO agreed that the first round of training was scheduled to be held the KZN region confirmed for Durban.</li> <li>c. Meeting was informed that the cost of training was sponsored by DOT. Attendees and their companies responsible for all other logistical costs.</li> <li>d. Meeting was further informed that Dangerous Goods training expected to be rolled out on a will be done on a regional bases. Regional training dates would be communicated once confirmed.</li> </ul> <p><b>3.1.3 Iron Ore Dust and Corrosion effect – Formal complaint (Port User)</b></p> <ul style="list-style-type: none"> <li>a. The PCC representative provided a brief overview of the formal complaint received from a Port User – Ferro Marine Africa.</li> <li>b. The Port User provided further information as to the details of the complaint and all correspondence forwarded to TPT and TNPA.</li> <li>c. Further concerns were raised regards the handling of Manganese and the way it was transported into the port. Further noting that trucks are supposed to be covered and not transported into the port in open skips which is resulting in health issues.</li> <li>d. It was highlighted that there was no communication to Port Users regards Manganese being brought into the Port.</li> <li>e. Meeting was reminded that Quay 204 was widely advertised as a ship repair quay but instead was being used to handle Manganese.</li> <li>f. The Port Manager responded that Quay 205 was never reserved for Ship repair. It was noted that quay 204 was being used for Manganese due to increase in volumes at the MPT.</li> <li>g. The Port User stressed that the timelines linked to the Mossgas Jetty extension, as presented in the PDFP presentation, were considered to be unrealistic. The Mossgas Jetty extension was noted to start September 2015 with the expected completion date December 2018. It was noted that this would have a direct negative impact on the current tenant.</li> <li>h. The Port Manager refuted statement made by the Port User as unsubstantiated noting that Ferro Marine was primarily built as a fabrication plant and secondary as a ship repair company.</li> </ul>	<p><b>Action 3: Utilization /supply of electricity</b> TNPA undertook to circulate the schedule ahead of the 1<sup>st</sup> quarter 2015/16 meeting.</p> <p><b>Action 4: IMDG Training</b> Dates for the further training to be circulated once confirmed.</p> <p><b>Action 5: Iron Ore Dust and Corrosion effect</b> Portfolio of evidence to be provided by the Port User within 7 days of the date of this meeting.</p>

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	<ul style="list-style-type: none"> <li>i. It was agreed that a Special PCC meeting be held prior to which the complainant was to provide a detailed Portfolio of Evidence.</li> <li>j. Date for the special PCC meeting to be circulated.</li> </ul>	
<b>SECTION 4: STANDING ITEMS</b>		
4.1	<p>TNPA</p> <p>Full TNPA presentation was circulated to all.</p> <p>Aids to Navigation</p> <ul style="list-style-type: none"> <li>a. Update regarding the Buoys will be presented at the 2<sup>nd</sup> Quarter PCC meeting.</li> </ul>	
<b>4.2 LABOUR FEEDBACK</b>		
	<p><b>3.2.1 UNTU</b></p> <ul style="list-style-type: none"> <li>a. No update from the regional representative. However, the Secretariat advised that that a meeting will be scheduled with the National Office bearers to discuss Labour Guidelines for participation in the regional PCC meetings.</li> <li>b. Meeting details will be circulated to relevant parties followed by the Invitation.</li> <li>c. Update will be provided at the 2<sup>nd</sup> Quarter PCC meeting. Outstanding comments from Labour at a Port level to be submitted.</li> </ul> <p><b>3.2.2 SATAWU</b></p> <p>No representation.</p>	<p><b>Action 6: Labour Guidelines</b></p> <p>Labour to submit their comments with regards to the Labour Guidelines at their earliest availability as was discussed at the labour Guideline Workshop. National workshop details to be circulated.</p>
<b>4.3 Port User Feedback</b>		
	<p><b>4.3.1 Cargo Owners / Freight Forwards / Road Hauliers / Container Depots</b></p> <ul style="list-style-type: none"> <li>a. A presentation by this constituency was circulated prior to the PCC meeting.</li> <li>b. It was noted that the Iron Ore price was at an all-time low. Same applied to Manganese. Volumes expected to drop.</li> <li>c. It was also predicted that volumes will drop during the month of August.</li> </ul>	
	<p><b>4.3.2 Shipping Lines / Agents / Oil &amp; Gas / Ship Repair / Fishing</b></p> <ul style="list-style-type: none"> <li>a. The representative of this constituency could unfortunately not attend the meeting due to the change of date.</li> </ul>	
	<p><b>4.3.3 Terminal Operators / Stevedores / Lessees</b></p> <p>No additional feedback at this time.</p>	
<b>4.4 Government Feedback</b>		
4.4.1	<p><b>Local Government</b></p> <ul style="list-style-type: none"> <li>a. No update for this meeting</li> </ul>	
4.4.2	<p><b>Provincial Government</b></p> <ul style="list-style-type: none"> <li>a. No update for this meeting.</li> </ul>	
4.4.3	<p><b>Department of Transport (DOT)</b></p> <ul style="list-style-type: none"> <li>a. The Ports Act review is currently on the NPCC agenda and will be discussed further at the next NPCC meeting scheduled to take place on 28 August 2015.</li> <li>b. Feedback will be given by DOT at the next PCC meeting.</li> </ul>	<p><b>Action 7: Ports Act amendment process.</b></p> <p>Update on Ports Act review and STER will be given at the 2<sup>nd</sup> Quarter</p>

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	<ul style="list-style-type: none"> <li>c. The Single Transport Economic Regulator reported to be an item on the NPCC Agenda.</li> <li>d. Feedback will be given by DOT at the next PCC meeting.</li> <li>e. Update was given on the Operation Phakisa projects affecting the Port of Saldanha</li> </ul>	PCC.
<b>4.4.4</b>	<b>Other National Departments</b>	
<b>4.5</b>	<p><b>Ports Regulator South Africa</b></p> <p>Feedback was provided by Ms Joanne Parker.</p> <ul style="list-style-type: none"> <li>a. The draft Tariff Strategy was published on the 31st of March for comment;</li> <li>b. Nine written submissions were received;</li> <li>c. Two focus groups (government and port pricing experts) were held in May;</li> <li>d. Four roadshows were held in June for industry and other stakeholders;</li> <li>e. The PRSA thanked PCC members for their attendance and comments –a long list of 100 suggestions and comments from the Roadshows and the submissions have been considered carefully and incorporated in the strategy where necessary.</li> <li>f. 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>g. Implementation of the Tariff Strategy will begin with the 2016/17 tariff book;</li> <li>h. 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>i. Marine services will be run on a ghost system for 2016/17 and applied in 2017/18;</li> <li>j. Annual monitoring of all elements of the strategy will take place;</li> <li>k. Phase 3 has already commenced – this includes finalising the beneficiation strategy, reviewing the tariff methodology and valuation of assets.</li> <li>l. The Tariff Application will be submitted by NPA to the Regulator on the 1st of August 2015;</li> <li>m. There will be a comment period of at least 30 working days with roadshows expected to take place in September.</li> <li>n. Tribunal Update - A decision was been made regarding a private container terminal at the Port of Richards Bay and the Saldanha Bay matter – that will be published on the website the following week;</li> <li>o. Regulatory Review - As discussed in previous PCC, the PRSA was doing a self-evaluation and completed a web-survey which we will be send to its database via a link.</li> </ul>	
<b>4.6</b>	<p><b>SAMSA</b></p> <ul style="list-style-type: none"> <li>a. A new surveyor was appointed at the SAMSA Saldanha office stationed in the Port.</li> </ul>	No further action required.
<b>4.7</b>	<p><b>PCC ADMINISTRATION – Secretariat</b></p> <ul style="list-style-type: none"> <li>a. KPI sub-committee meetings took place and inputs were forwarded to TNPA.</li> <li>b. With regards to the PDFP roadshow that was held at the Port of Saldanha, all questions and comments were forwarded to TNPA and the Secretariat was awaiting formal responses where after it will be placed on the PCC website.</li> <li>c. The Secretariat advised that the PCC website was now up and running and have requested all PCC members look at the website and provide comments. Minutes will be placed on the website.</li> <li>d. With regards to filling of gaps for Port User representation, for the Port of Saldanha, all the categories of industry was represented. Induction sessions will again be scheduled for members.</li> </ul>	



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<b>SECTION 5: COOPERATIVE GOVERNANCE</b>		
5.1		
<b>SECTION 6: NPCC</b>		
	<p><b>FEEDBACK: NPCC Representative</b></p> <p>a. Issues to be escalated to the NPCC will be finalised when the Adhoc committee meeting takes place.</p>	
<b>SECTION 7: NEW ITEMS</b>		
7.1.	<b>New Items</b>	
<b>SECTION 8: AGREED RESOLUTIONS &amp; ACTION ITEMS</b>		
8.1	<p>a. Bi-Lateral Agreements Department of International Relations – DIRCO: Presentation. DIRCO to provide overview on South Africa’s agreement with other African trading countries as it relates to visas etc. Presentation to be forwarded to be forwarded to the membership once available.</p> <p>b. Private Sector Participation Framework (PSP): Presentation will be made once available - DOT / DPE / DTI.</p> <p>c. Utilization / supply of electricity of electricity: TNPA not in a position to provide capacity schedule for water and electricity due to the land use plan process being underway. Update will be given at the next PCC meeting.</p> <p>d. IMDG Training Update 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 however be provided on a regional basis once service provider has been sourced. Dates and venues will be circulated once available.</p> <p>e. Iron Ore Dust and Corrosion Effect of Iron Ore: Presentation was given regarding the results of the Iron Ore Dust testing however the corrosion effect of iron ore was not included in the study. A formal complaint was received from a Port User regarding the iron ore dust and corrosion effects of iron ore. It was agreed that a special PCC meeting be held to deal with the issue. Complainant to be requested to provide a detailed Portfolio of evidence summary.</p>	
9.1	<p><b>DATE AND VENUE FOR NEXT MEETING</b></p> <p>The next meeting is scheduled to take place at 10:00 Wednesday, 14 October 2015 at TNPA Offices.</p>	
9.2.	<p><b>CLOSURE</b></p> <p>The Acting Chairperson thanked everyone for their contributions and inputs. With no further issues to discuss, the meeting was adjourned.</p>	

Approved by

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
PCC Secretariat

\_\_\_\_\_  
Date