



MINUTES OF THE 3RD QUARTER PORT OF DURBAN PORTS CONSULTATIVE COMMITTEE MEETING

09:00 Thursday 13 November 2014, TNPA Offices, Ocean Terminal Building, Port of Durban

Members

Mr Chuma Mpahlwa	Department of Transport – Deputy Chairperson
Ms Selma Schwartz-Clausen	South African Maritime Safety Authority – PCC Secretariat
Ms Fuzlin Khamissa	South African Maritime Safety Authority – PCC Secretariat Support
Captain Mladen Brkovic	South African Maritime Safety Authority
Mr Moshe Motlothi	Transnet National Ports Authority – Port Manager
Captain Alex Miya	Transnet National Ports Authority - on behalf of the Harbour Master
Ms Marina Petersen	Transnet National Ports Authority
Dr Andrew Mather	Local Government: EThekweni Municipality
Mr. Chris Stretch	Provincial Government: KZN
Mr Fanie Pretorius	Port User: Cargo Owners / Freight Forwarders / Road Hauliers / Container Depots/ Etc.
Mr Mervin Webb	Port User: Cargo Owners / Freight Forwarders / Road Hauliers / Container Depots/ Etc.
Ms. Bridget Bishenden	Port User: Terminal Operator / Stevedore / Lessee
Mr. Philip Simpson	Port User: Shipping Lines / Agents / Oil & Gas / Ship Repairs / Fishing
Mr. Peter Besnard	Port User: Shipping Lines / Agents / Oil & Gas / Ship Repairs / Fishing

Observer Status

Mr. Mahesh Fakir	PRSA CEO
Ms Jowie Mulaudzi	PRSA

Department of Transport

Mr. Abram Chego	Office of the Director General
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APOLOGIES:

Members:

Constituency	Members	Q 1	Q2	Q 3	Q 4
TNPA	Harbour Master	Captain Alex Miya		x	
	Deputy Harbour Master	Captain Justin Adams			
	Port Manager	Mr. Moshe Motlothi			
	Port Engineer	Mr Sibusiso			
Port Users:	Cargo Owners / Freight Forwarders / Road Hauliers / Logistics	Mr. Mervin Webb	x		
		Mr Fanie Pretorius			
	Terminal Operators / Lessees / Stevedores	Mr. Ms Bridget Bishenden			
Shipping Lines, Agents, Ship Repair	Mr. Peter Besnard			x	
	Mr. Phillip Simpson				
Government	Local	Dr. Andrew Mather		x	
	Provincial	Mr Chris Stretch			
Labour	UNTU	Mr. Wiseman Phethwa		x	x
	SATAWU	Ms Nomsa Cele			
SAMSA	Captain Mladen Brkovic				

Department of Transport Apology

Mr Lisolomzi Fikizolo Department of Transport – Chairperson

Present

Ports Regulator Office

Ms. Zinhle Mhlongo PRSA Representative
Ms Joanne Parker PRSA Representative

SAMSA

Ms Nobesutho Gongxeke

TNPA OFFICIALS

Item per Allocated Time Slots

Mr Khulekani Xaba
Mr Ricky Bhikraj

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

UTATU SARHWU one union*

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ACTION/S
SECTION 1: PROCEDURAL MATTERS		
1.	<p>WELCOME</p> <p>Mr Chuma Mpahlwa informed the meeting that he was requested by Mr Fikizolo to chair the meeting. Mr Fikizolo is attending meetings regarding Operation Phakisa. The Deputy Chairperson confirmed attendance of members present. He further reminded the meeting that all PCC members are considered equal partners aligned with the Ports Act and requested that all present to actively participate.</p> <p>He welcomed all to the 2014/2015 3rd Quarter PCC meeting and declared the meeting open.</p>	
1.1	<p>Safety Briefing</p> <p>A safety briefing was done by Captain Alex Miya of TNPA highlighting that everyone should vacate the building calmly in the event of a continuous alarm sound.</p>	
1.2	<p>APOLOGIES</p> <p>Apologies as noted.</p>	
1.3	<p>QUORUM</p> <p>In determining whether the meeting quorate, member attendance was noted confirming representation in accordance with the Ports Act of 2005 and Regulations of 2007 as follows:</p> <p>1.3.1 Transnet National Ports Authority</p> <p>1.3.1.1 Harbour Master representative: Captain Alex Miya</p> <p>1.3.1.2 Two Person other than Harbour Master: Mr Moshe Motlohi Ms Marina Petersen</p> <p>1.3.2 Port Users</p> <p>Mr Fanie Pretorius - Port User: Cargo Owners / Freight Forwarders / Road Hauliers / Container Depots/ etc.</p> <p>Mr Mervin Webb - Port User: Cargo Owners / Freight Forwarders / Road Hauliers / Container Depots/ etc.</p> <p>Ms. Bridget Bishenden - Port User: Terminal Operator / Stevedore / Lessee</p> <p>Mr. Philip Simpson - Port User: Shipping Lines / Agents / Oil & Gas / Ship Repairs / Fishing - Port User: Shipping</p> <p>1.3.3 Provincial Government: Mr. Chris Stretch</p> <p>1.3.4 Local Government: Not represented</p> <p>1.3.5 Organised Labour</p> <p>1.3.5.1 Ms Nomsa Cele SATAWU</p> <p>1.3.6 SAMSA</p> <p>1.3.6.1 Captain Mladen Brkovic</p> <p>1.3.7 Chairperson -</p> <p>1.3.7.1 Mr Chuma Mpahlwa</p> <p>Confirmation of attendance confirms that the Port of Durban PCC does not quorate and</p>	

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ACTION/S
	Decision taken will be circulated.	
1.4.	<p>ADOPTION OF THE AGENDA OF 29 AUGUST 2014</p> <p>A member of the SA Shippers Council requested that the matter of representation by Mr Fanie Pretorius be discussed at the meeting. A letter was sent to the Minister stating that the Shippers Council felt that Mr Fanie Pretorius should not represent them at the PCC meetings as Mr Pretorius has resigned from the SA Shippers Council.</p> <p>The Ports Regulator suggested that Operation Phakiso be added to the agenda going forward. The Agenda of the 29 August 2014 was motioned for adoption by Mr Chris Stretch and supported by Mr. Fanie Pretorius.</p> <p>The Port Manager requested that clarity be created regarding the representation of the PCC meetings due to the fact that he has resigned from the SA Shippers Council. Mr Motlohi requested through the Deputy Chairperson that Mr Pretorius give some clarity for the meeting to understand. The Secretariat responded by explaining that the Nomination and Election process according to the PCC.</p> <p>Mr Bhikraj then questioned whether an individual is allowed to represent a sector if he is no longer formally employed in that industry and does the individual still represent the rest of the Port Users in the particular constituency. Mr Webb responded that due to the limited number of seats on the PCC it was then agreed that the SA Shippers Council would fall with the constituency and be represented at the PCC. Mr Pretorius advised that if it was required of him to be excused from the meeting he would leave but take the matter up later.</p> <p>Ms Bishenden said that internal issues in a particular group should not affect the membership of the PCC and also felt that Mr Pretorius should not be asked to leave the meeting as he would do a disservice to his constituency. Mr Fakir advised that the PRSA has received communication from a particular organisation and it is not the Durban PCC meetings responsibility to sort out this matter but as the communication has also been sent to the Minister it should be sorted out on that level.</p> <p>The house agreed that Mr Pretorius be part of the meeting as the PCC does not have the authority to make a decision and the meeting should continue. The Deputy Chairperson further stated that Mr Pretorius is representing not only the SA Shippers Council but other industries in the same constituency and the matter of representation should sort it out internally.</p> <p>The matter of representation will be addressed and responded to separately.</p> <p>The Agenda was proposed for adoption by Mr Chris Stretch and seconded by Ms Bridgette Bishenden.</p> <p>Declaration of Interest</p> <p>The Secretariat advised that the Declaration of Interest forms will be circulated to be completed by all and handed back after the meeting.</p>	Action 1: Matter regarding representation at the PCC will be dealt with and responded to separately.
1.4.1.	<p>ADOPTION OF THE MINUTES OF THE MEETING 29 AUGUST 2014</p> <p>The following amendments were made:</p> <p>Page 4: Item 1.3.7.1 – amendment of surname too read “Ms Bridget Bishenden”.</p> <p>Page 11: Item 3.5 b – to read “multi-year process which made allowance for annual amendments.”</p> <p>Page 11: Item 3.5 f – Spelling of the CEO PRSA to be amended to “Mr Fakir”</p> <p>The Minutes of the 29TH August 2014 was motioned for adoption subject to the agreed amendments.</p>	

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ACTION/S
SECTION 2: EXTERNAL PRESENTATION		
2.1	None	
SECTION 3: MATTERS ARISING FROM THE MEETING OF 13 NOVEMBER 2014		
3.1	<p>Update on Navis</p> <ol style="list-style-type: none"> a. Mr Pretorius gave update with regards to the Navis system. b. No backup for Navis, a commitment from TPT that when the system is upgraded, there will be backup and the system is being closely monitored and it will be part of the TOPS KPI measures. c. Referring to the previous Minutes the Ports Regulator said that on the agenda it says that Mr Pretorius will discuss this matter with Mr Bhikraj. Mr Bhikraj advised that when the terminal submits the quarterly report it would indicate the down time of the Navis system. The discussions between Mr Pretorius and Mr Bhikraj has not discussed. d. Mr Bhikraj gave feedback on how this affects the KPI's. e. This matter will be added to the discussions. f. The Secretariat said that there is two issues one is the fact that when it was initially raised was about the backup system and the second issue was to ask Mr Bhikraj if this could be added to the KPI measures. g. Matter will stay on the agenda and Mr Bhikraj said that this would have to be discussed and also the risk or it might be a licence issue but if this is added as a KPI measure would it result in the fact that there will be a back- up system immediately. h. The Port Manager suggested that TPT be invited to do presentation regarding the Navis system as TPT has a plan regarding a system and the presentation will address most of these issues i. An invitation will be sent to Mr Mark Witten and Ms Deidre Ackerman to do a presentation regarding the Navis system and the way forward. 	<p>Action: 2</p> <p>Invitation to be sent to TPT requesting that a presentation with regards to the Navis system be done at the next PCC meeting.</p>
3.2	<p>North Quay - berth deepening plans</p> <ol style="list-style-type: none"> a. It was reported that there was an issue with the EIA and assistance from the stakeholders was requested. b. Maintenance of depth that has just been discovered. TNPA has been in discussion with SASOA. Some of draft has been reduced for safety. TNPA was working on the draft issue. c. Feedback will be given at the next PCC meeting. d. Mr Pretorius said that the industry is in ongoing discussion with TNPA. The matter will be discussed with TNPA as per protocol before it is further discussed with TNPA. e. Mr Fakir asked when the EIA was applied for and what was the latest correspondence from the Authority. f. Mr Khulekani Xaba replied that the application was made over a year ago with the Department of Environmental Affairs. The report was supposed to be completed by June and then delayed to October but the report or feedback has not been received. g. The PRSA requested that the document be shared with the PCC before the 4th Quarter PCC. h. The Port Manager will discuss this matter with the Chief Harbour Master. i. Mr Bhikraj said that it was not uncommon for EIA process takes one to two years which results in the increase of cost which means that the Port Users will have to pay for it therefore it would be in the best interest of all to give support to this project. j. Feedback will be given at the next PCC meeting. 	<p>Action 3:</p> <p>The stakeholder is requested to give input into the EIA process.</p> <p>TNPA will give feedback at the next meeting with regards to the draft issue.</p> <p>The EIA document will be shared with the meeting prior to the 4th Quarter PCC for information.</p>

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3.3	<p>Customs Clearance - City Deep</p> <ul style="list-style-type: none"> a. Mr Pretorius advised that the matter was still with the Minister's office and the signature of the Minister has not been received yet. b. The matter is still status quo and an update will be forwarded to the Secretariat prior to the next PCC meeting. c. Ms Nomsa Cele requested that Labour be part of meeting regarding congestion in the Port and also issue about foreign drivers being used instead of local people. d. Update will be given at next PCC meeting. 	<p>Action 4:</p> <p>Mr Pretorius will give feedback at next PCC meeting.</p>
3.4	<p>Landside issues including Port congestion and a Truck staging area - TNPA</p> <ul style="list-style-type: none"> a. Two meeting were held but matter is not fully resolved. b. The landside issue is still an issue but being addressed on an ongoing basis. c. Port Manager advised that he is aware that meetings are taking place. 	<p>Action 5:</p> <p>Update regarding progress will be given at next meeting.</p>
3.5	<p>Weighbridge – Update</p> <ul style="list-style-type: none"> a. Sensors has been put in place. b. 18 – 24% of the trucks are overloaded. c. New weighbridge to be installed. 	<p>Action 6:</p> <p>Update will be given at next meeting.</p>
3.6	<p>Consigner / Consignee</p> <ul style="list-style-type: none"> a. The Deputy Chairperson advised that DOT has no feedback at this stage. b. Regulations has just be published. c. TNPA to refer to legal to have a look at the document. d. Electronic document will be forwarded to the Secretariat by Mr Chris Stretch to further be circulated to all members. 	<p>Action 7:</p> <p>Mr Stretch will forward new regulation to the Secretariat for circulation.</p>
SECTION 4: STANDING ITEMS		
4.1	<p>4.1.1 TNPA – Port Performance – Presentation attached.</p> <p> Durban PCC 13 November 2014.pdf</p> <ul style="list-style-type: none"> a. Deep-sea imports were down. b. Transhipments doing well as Port of Ngqura volumes were coming to Port of Durban. c. August to October – The Port has bad weather that affected the STT. d. Consolidation of cargo which means larger vessels with smaller parcel size. e. The Ship Repair Strategy has been drafted and 13 projects feed into Operation Phakisa. f. Mr Pretorius asked if stats were available before the draft was changed in the port. g. Mr Fakir requested that dredging stats be include in the presentation to give perspective on landlord maintaining its assets. h. He further asked that the helicopter utilization be included. He said that the PRSA is in the process of creating a CAPEX project process register. This will be available on the PRSA website but excluded sensitive information that could influence the outcome of tenders. i. Ms Mhlongo enquired whether stats were available for terminals that have managed to reach targets in terms of TOP KPI's. TNPA will do calculations and share at the next meeting. j. Ms Cele commented that as Manganese is planned to be moved to the Port of Ngqura, what will replace manganese cargo in the Port of Durban. Ms Petersen 	<p>Action 8:</p> <p>TNPA to include information as requested by the PRSA in the TNPA performance presentation going forward.</p> <p>Action 9 :</p> <p>PRSA to place CAPEX project list on website</p> <p>Action 10:</p> <p>TNPA to provide information about targets reached by Terminal Operators.</p>

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	<p>advised that there are currently discussions regarding coal could replace the manganese.</p> <p>k. Mr Pretorius enquired whether there was stats available for the transhipments vessels that could not be serviced in the Port of Ngqura that came to Port of Durban and those that when to other non-South African ports.</p> <p>l. Aids to Navigation is remains status quo.</p>	
4.2	LABOUR FEEDBACK	
	<p>4.2.1 UNTU</p> <p>No representation.</p>	
	<p>4.2.2. SATAWU</p> <p>a. Mr Mphalwa gave feedback with regards to the second session of the Labour Guidelines Workshop that took place at the Port of Port Elizabeth on 29 October 2014.</p> <p>b. The workshop was well attended and Labour will be drafting the guidelines and forward to the Secretariat who will consolidate where after it will be discussed further.</p> <p>c. Labour will be restructured to include external members as well.</p> <p>d. Ms Cele said that SATAWU is committed to the structure of the PCC meetings and will prepare a presentation for upcoming PCC meeting.</p> <p>e. Labour will restructure to try and include outside Labour to also be represented at the PCC meetings.</p>	
4.3	Port User Feedback	
	<p>4.3.1 Cargo Owners / FF / Road Hauliers / Container Depots</p> <p>a. Feedback was given by Mr Pretorius who advised that size of vessels is affecting the congestion in the Port.</p> <p>b. Lots of overloading of trucks in the Port.</p> <p>c. The issue of a truck staging area still to be discussed.</p>	
	<p>4.3.2 Shipping Lines / Agents / Oil & Gas / Ship Repair / Fishing</p> <p>a. Mr Simpson gave feedback with regards to the induction received including the documentation was very helpful with the understanding of the protocol of meeting.</p> <p>b. The issue of arresting of ships in the ports of South Africa.</p> <p>c. Fishing volumes not good as quite a few fishing vessels is arrested.</p> <p>d. The STT of vessels should have a target of 0 as all vessels owners would like their vessels to either be offloading or sailing.</p> <p>e. Higher volume of rice and fertilizer imports.</p> <p>f. Sugar exports for next year will be down due to the dry weather.</p> <p>g. Vessels are getting bigger which means that its less vessels but volumes are more.</p> <p>h. Dredging in Port of Durban should be done regularly due to the size of the vessels.</p>	
	<p>4.3.3 Terminal Operators / Stevedores / Lessees - Ms Bishenden</p> <p>a. Lack of proper database creates a problem for communicating with the businesses within the constituency to give feedback from the PCC meetings.</p> <p>b. Mr Simpson will forward Mr Chris Talbots details to Ms Bishenden for her to request stevedore's details.</p> <p>c. The Secretariat will discuss with the Port Manager.</p>	<p>Action 11:</p> <p>TNPA will give feedback regards soundings at high spots.</p>

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	<p>d. The Harbour Master advised that the TNPA was meeting the targets for dredging with is 85% with an actual of 93%. He further said that the port was designed for smaller vessels and with the larger vessels coming into the port, it affects the sand bank as it was dragging the sand into the port.</p>	
4.4	Government Feedback	
4.4.1	<p>Local Government – No feedback as Dr Mather was not present.</p>	
	<p>Provincial Government No feedback at this stage.</p>	
4.4.3	<p>Department of Transport (DOT)</p> <ul style="list-style-type: none"> a. Submission for the IMDG training has been signed by the DG and the finance has been approved. b. The training will take place at 3 venues namely: Cape Town, Durban and Port Elizabeth. c. The training was scheduled to take place during November but due to the delay in approval it is now most probably going to take place during February/March 2015. d. Dates will be confirmed by the IMO and will be circulated to all interested parties. 	<p>Action 12: Dates for IMDG training to be confirmed and circulated.</p>
4.5	<p>Ports Regulator South Africa</p> <ul style="list-style-type: none"> a. Feedback was given on the recent Tariff application roadshow. b. The Ports Regulator thanked everyone that took the time to attend and made the roadshow successful. c. Only received 8 objections to the TNPA's application and this was due to the tariff methodology. d. During the Roadshow, survey forms were completed by all attendees and another survey will be done once the Tariff application process is complete. e. Pricing Strategy document should be read by end of February 2015 and consultation will be held with all stakeholders. 	<p>Action 13: PRSA to prepare presentation regards the Pricing Strategy</p>
4.6	SAMSA Captain Brkovic – Presentation attached.	
4.7	<p>PCC ADMINISTRATION</p> <ul style="list-style-type: none"> a. The Secretariat gave feedback and Ms Schwartz-Clausen advised that a standard PCC template will be circulated for comments for TNPA, Port Users, and Labour etc. b. Induction has taken place for the all the PCC members except the new Port Manager and the PRSA. The Secretariat to discuss with the Mr Motlohi. c. The nomination and election process for the NPCC representative for the Port of Durban will commence and nomination forms will be forwarded to members. d. The next NPCC meeting is scheduled to take place on 5 December 2014 in the Port of Port Elizabeth. 	
SECTION 5: COOPERATIVE GOVERNANCE		

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ACTION/S
5.1		
SECTION 6: NPCC		
	a. No update as the 2 nd Quarter NPCC meeting will only take place on 5 th December in Port Elizabeth.	
SECTION 7: NEW ITEMS		
7.1.	New Items No new items were noted.	
SECTION 8: AGREED RESOLUTIONS & ACTION ITEMS		
8.1	<ul style="list-style-type: none"> a. Representation: Terminal Operator - Letter was received from SA Shippers Council with regards to Mr Pretorius's representation. Matter will be have a separate response. b. Update on Navis TPT to be invited to provide an update on Navis. Secretariat will extend invitation. c. North Quay – berth deepening plans: Stakeholders process underway. Update to be provided on EIA process. TNPA to provide feedback on strategic environmental assessment as it relates to all the projects in the Port of Durban. d. Customs Clearance – City Deep: Mr Pretorius to give update by next week. e. Landside Issues including Port congestion and a truck staging area: Lots of developments and meetings took place. Feedback will be provided ahead of next PCC meeting f. Weighbridge update: The weighbridge is still expected to be fully operational by end of financial year. Procurement process is underway. g. Consignor/Consignee regulations: New regulations came out last week. 3 months for port users to become compliant. Mr Chris Stretch to email regulations to the Secretariat where after it will be circulated. h. TNPA presentation: The following to be added to the presentation: <ul style="list-style-type: none"> - Progress on dredging services - Maintenance of assets - STT – must be separated between TNPA and other operators. - Helicopter availability and utilization i. CAPEX: PRSA is currently compiling CAPEX register which will be detailed except for Rand value as it could affect tenders in process. Will be available on PRSA website j. TOPS: PRSA requested that analysis of Terminal Operators achieving targets, analysis of deviations to be followed up and analysis of anchorage waiting time and reasons be included on TNPA presentation k. Draft of Port of Durban: TNPA indicated that they will be doing soundings more often where there is high spots. Update will be given at next meeting. l. IMDG Training: Update on dates of training will be confirmed and circulated. m. Single Transport Regulator: The PRSA advised that a single Transport Regulator will be established. Matter will be presented to Cabinet in December. Thereafter stakeholders will have 60 days to comment. Port Users to comment 	
SECTION 9: ANNOUCEMENTS AND CLOSURE		
9.1	DATE AND VENUE FOR NEXT MEETING The next meeting is scheduled to take place at 09:00 Thursday 13 th November 2014 at TNPA Offices.	

ITEM	DISCUSSIONS	RECOMMENDATION(S)/ACTION/S
9.2.	<p>CLOSURE</p> <p>The Deputy Chairperson thanked everyone for their contributions and inputs.</p>	

Approved by

PCC Chairperson

Date

PCC Secretariat

Date