



transport

Department:
Transport
REPUBLIC OF SOUTH AFRICA

DEPARTMENT OF TRANSPORT REGULATORY FRAMEWORK FOR SMALL HARBOURS IMPLEMENTATION OF THE CMTP POLICY STATEMENT 7C

1. Background

- 1.1 Small Harbours which run along the coastal water-land border interface in support primarily of the near-shore and offshore industries of fishing, aquaculture and other maritime economic activities have deteriorated to a state of near collapse, through lack maintenance, safety and security measures, as well as investment thereby denying the offshore industries the much needed launching. Landing, processing and service site which connect fishing, aquaculture farm as well as other maritime economic activities.
- 1.2 On 10th May 2017 Cabinet approved the Comprehensive Maritime Transport. Following Cabinet approval, the National Department of Transport successfully launched the CMTP on the 20th July 2017.
- 1.3 The Comprehensive Maritime Transport policy makes provision on policy statement 7 (c) the Department shall develop the small Harbours regulatory framework for governance of Safety of navigation, security and protection of marine environment and operations.

2 Process

- 2.1 We are in a process of drafting the small harbour regulatory framework to which we are requesting you to help provide your recommendations on the below:

3 Key Question

- 3.1 South Africa has approximately 50 Small Harbours (including public proclaimed, non-proclaimed and potential harbours, private harbours as well as landing sites and the

12 proclaimed small harbours namely, Stilbaai, Lamberts Bay, St Helena Bay, Saldanha Bay, Gansbaai, Arniston, Kleinmond, Hermanus, Struisbaai, Gordon's Bay, Kalk Bay and Hout Bay and 3 un-proclaimed namely Port Edward, Ray Nkonyeni Municipality in KZN, Port St Johns, Port St Johns Municipality in E Cape, and Port Nolloth, Richtersveld Municipality in N Cape.

- 3.2 Small Harbours are a maritime transport infrastructure identified as a key sector to drive government strategic objectives of radically transforming society particularly on aspects relating to the participation of the historically disadvantaged communities in the maritime domain including women and youth. Small harbours infrastructure development has always been the competency of the Department of Public Works and there is no doubt about it. The matters relating to operations were as well devolved to the Department of Agriculture, Forestry and Fisheries both for operator licensing and for operations in particular.

The Questionnaire is in 4 parts as follows:

Part 1 deals with safety of navigation in small harbours

Part 2 deals with Security Issues in

Part 3 deals with Environmental issues and

Part 4 deals with Operational issues

Recommendations for completing the Questionnaire:

Depending on the nature, size and purpose of the Organisation completing the questionnaire, it is possible that a single expert will complete all parts. In some cases, it is possible that it will be efficient to split different part for completion by a number of experts. Another organisation may choose to set up a Task group to complete all parts in one or multiple sessions. All the cases apply in this research and we encourage you to complete the questionnaire in the most feasible, efficient and participatory manner as possible. Some questions may appear as repetitive, do not worry it is being raised within the context of the part the Questionnaire is making the inquiry. It is recommended that responses be typed out before submission to the DoT.

Thank you for your cooperation.

PART 1 – SAFETY OF NAVIGATION

1) What are the safety of navigation challenges in Small Harbours?

For vessels	For authorities	For towns/ traders

2) There are challenges what do you think should be done to address the above?

For vessels	Suggested solutions
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For Authorities	
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For towns and traders	

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3) What should be done to promote safety of navigation challenges in the Small Harbours?

4) Are vessels operating in small harbours inspected?

5) Are you aware of any collisions of vessels in small harbours? If yes when did you site this collision/ vessel run aground?

Nature of incident	Who was involved	Casualties

6) If yes when did you site this collision/ vessel run aground and what was the condition?

7) How are the safety operational conditions in the small harbours?

8) Do you think Small Harbour should be open for International traffic?

9) Is there any safety of navigation legislation/regulation governing small harbours?

10) Do you think we should have vessel register at the Small harbours?

11) what do you think should be done to promote safety of navigation challenges in Small Harbours?

12) Do you think Small Harbours should report to the Local Municipalities?

13) What are the challenges skippers experience on navigation and skill competency of small harbours?

14) Who should audit the safety of navigation activities in Small Harbours?

15) is there a need of Small Harbours Development Authority?

a) Who should be the competent national Authority for the safety of navigation

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b) Who should host/ coordinate the national framework for safety in small harbours?

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c) What should be the requirement for small harbour safety regulatory framework?

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

d) What key elements should be included in the authorities' of the small harbour safety framework?

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

PART: 2 - SECURITY

16) Are you aware of any legislations addressing security issues in Small Harbours? If so please list them:

17) Do you consider that there are security challenges in small Harbours? If so, what are they:

18) Are the security standard associated with small harbours, different from those which are associated with ports? If there are, please give examples:

Standard	Commercial Ports	Small harbours

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19) Are there any activities social or economic within the small harbours that can negatively influence or affect small harbours security?

Activity	Small Harbour	Nature of impact

20) How can you explain the current state of security of small harbours?

21) Do you think that small harbours can qualify as key points of entries and why?

22) Is there security surveillance in small harbours?

23) Do you think that small harbours must have contingency security plan?

24) What important elements should that contingency security plan have?

25) Is there a mechanism for reporting of foreign vessels calling in small harbours?

26) Are there security patrols in small harbours? If so, how regular:

Nature of patrols	Regularity	Agency understanding patrols

27) Do you think we need a national small harbours security strategy or it we should just have overall maritime security strategy in which small harbours security is addressed? Please provide reasons for your response

28) Should small harbours be open to international shipping? If yes, what do you think should be the reporting requirement for foreign vessels calling in small harbours?

29) From the security point of view, is it advisable to have regulated operating hours at small harbours? If so, what will you recommend as official working hours:

30) How do you think the following security challenges should be dealt with?

- Inconsistent checks on people entering the small harbours
- Ineffective security: Lack of fencing, harbour facilities (pipes, electrics etc) are Vandalised

31) How do you think the small harbours regulatory framework for governance of security should look like or should include?

32) Do you have any other security concerns in small harbours that you would like to raise not covered in this research?

PART: 3 - ENVIRONMENT

34.) List the environmental challenges facing Small Harbours?

35.) What do you think should be done to address the challenges?

Identified Challenge	Suggested solution

36.) Are you aware of any environmental impact assessments being undertaken in the Small Harbours?

Title of assessments	Responsible Authority	Applicable Legislation

37.) Are there any Sensitive Areas in small harbours? If yes who monitors the activities around the identified sensitive areas

Name of Small Harbour	Nature of the sensitive area	Responsible Authority

38.) Is there any environmental legislation/regulation governing small harbours?

Title of Legislation	Scope/ long title	Authority

39.) Do you think Small Harbour should have marine Environment contingency plan in place?

Yes	Advantage/ disadvantage
No	Advantage/ disadvantage
Other:	Advantage/ disadvantage

40.) what do you think should be done to promote protection and preservation of the marine environment in Small Harbours?

41.) Where should Small Harbours report for their environmental concerns

Authority	Advantages	Disadvantages
Local Municipality		
Small Harbour Authority		
Individual Departments/ Authorities		

42.) Who should audit the environmental activities in Small Harbours?

Authority	Advantages	Disadvantages
Local Municipality		
Small Harbour Authority		
Individual Departments/ Authorities		

PART 4: OPERATIONS ISSUES IN SMALL HARBOURS

43) What proposed ownership model would be suitable for a small harbour?

Private/Public, state reasons for your answer in relation to their role

Model	Reasons for your answer
Public (Landlord)	
Private	
Public/ private	
Other	

44) What model of Operations should be adopted for Small Harbours?

Operations Model	Advantages	Disadvantages
Public (infrastructure)		
Private operations		
Public / private operations		

45) What specific activities in the small harbour should be privatized and what is not included in the transaction?

46) Must there be a system of permits to operate or licensing for vessels operating in small harbours?

47) should there be a license authority, if so which departments should be involved in determining the operational elements:

48) Should there be a single license or multiple:

For safety / security	Commercial purposes
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49) Operating License regime that you think should be included in the small harbour regulatory frame work?

a) The time period to be covered by the operating license?

b) Who should be the competent Authority to manage registration of operating licenses for small harbours?

50) Should there be separate regulations for licensing or should they be incorporated as a Schedule in the Regulatory Framework?

51) Who should be the competent authority for small harbour regulatory framework?

52) What are challenges facing small harbour communities in relation to their use

53) Who should provide marine services in small harbours?

54) What mechanism to be put in place to promote effective operational management for small harbours?

55) What role should small harbours play to promote local economy?

56) Should small harbours be treated as nodes in the maritime supply chain?

57) Which Department should be responsible for the maintenance of small harbours infrastructure?

Name of Department/ entity	Type of infrastructure
	Operational (Jetties, Quays; Sheds)
	Navigational

	Surveillance
	Approaches (streets etc.)
	Perimeter
	Local trade
	Other

58) What are the requirements of the personnel to manage a small harbour?

59) Who should provide marine services in a small harbour?

Name of Department/ Entity	Marine Service
	dredging
	pilotage
	hydrography
	Reception facilities
	health
	other

60) What Planning framework for small harbours look likes

Individual plan specific to a small harbour	Advantages/ disadvantages
Small Harbours Master Plan	Advantages/ disadvantages

Other

61) Who should invest in a small harbour development?

Only Public entities	Advantages/ disadvantages
Private	Advantages/ Disadvantages
Joint	Advantages/ disadvantages

Other

62) Should there be a tariff regime for small harbours? If so how should tariffs for small harbours be set?

63) What suggested method of proclamation should be followed for small harbours?

64) Should planning of a small harbour be a function of a local municipality or of national government?

65) How should a small harbour recoup its investments?

66) Should performance be lifted up as a matter of concern in small harbours?

67) Is there a need to develop operational procedures or rules for small harbours?

68) Who should be the competent national Authority

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