



Port Owen Marina Authority (npc)

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POMA Newsletter: August 2018

1) Governance

- 1.1) The POMA Board determines the fees and rate structure every year in April, based on the requirements as dictated by the budget for the new financial year. A client meeting is held in April, the budget is made available and ample time is given for comment and special requests.

We now experience that certain clients, unhappy with the specific fees/categories pertaining to themselves, are asking the Board for relief mid-term.

The POMA policy is clear: Clients with specific issues may approach the Board at any time, but the fees and fee structure will only be adjusted once a year, effective 1 July.

If a client “issue” relates to an error in measurement, or incorrect application of the rate structure, a change in circumstance or any other error of a human nature, it will be corrected mid-term and retrospectively if appropriate. However, if the “issue” refers to a deemed, eg. “irrational or unfair” rate or structure, it will be dealt with once a year, during April, for adjustment – if the appeal is successful – effective July, for the following year.

Clients must please understand, and accept, that POMA cannot make concessions on an ad-hoc basis. The present aim of your Board is to be fair to everyone and we are of the opinion that the current process allows enough time for consultation to adjudicate and respond to client queries.

- 1.2) Recent discussions at Board level revealed that there is still uncertainty regarding the interpretation of the ownership of the hardware of Candoc jetties.

The Board has given all the Directors complete information on the subject, as well as legal opinion obtained. Candoc berth holders with questions must please engage with their respective representatives, or, if you wish, directly with the Chairman, for information.

DIRECTORS

A J Uys (Chairman); D Robinson; S Joubert; S Crafford;
B Van Rensburg (Alt); D Roberts (Alt); J Scudder; G Breeze (Alt); J de Meillon (Alt)

- 1.3) Despite repeated requests, there are still clients who has not submitted duly signed private jetty agreements. We urge these clients to please do so by the end of September 2018 to avoid legal action.

If you have a specific reason for not complying, please engage with us. This is an important part of POMA's responsibility and it needs to be sorted out as a matter of urgency.

2) Dredging

- 2.1) We were notified on 7 August 2018 that we were successful with our request for an amendment to our 2009 Environmental Authorisation (dredging permit). The Department of Environmental Affairs, Development and Planning, issued an amendment in line with the application as previously reported.
- 2.2) There is now an appeal procedure for all the "Registered Interested and Affected Parties". We have notified all the parties (and their successors) on the register of the amendment, reasons for the amendment and right to appeal on 16 August 2018. The "Registered Interested and Affected Parties" were registered during the application process for the original Authorisation in 2009. The appeal procedure allows 20 calendar days for responses.
- 2.3) Our programme now looks as follows:
 - 2.3.1) The appeal procedure in 2.2 above does not prevent us from starting the work, so we are continuing with clearing the spoils from the settling ponds. The last of the loads destined for the Vredenburg Landfill site will be delivered by end August. Progress has been slower than planned, due to the wet weather.
 - 2.3.2) We have opened the tender process again, to allow previous tenderers to adjust their submissions according to the latest expected operational parameters. We have also advertised again, giving interested parties who did not submit tenders in February 2018, to do so now. We expect to be in a position to award a contract early in September 2018.
 - 2.3.3) The modifications to the POMA dredger will be completed by end August 2018. Our intention is to use this machine in conjunction with that of an outside contractor, to improve output and efficiency within the constraints of the permit conditions.
 - 2.3.4) We have received our Grant funding from the Berg River Municipality, which means that, added to the accumulated funds from last year, we should have adequate funding for the dredging operation for the next 12 months without having to resort to external funding. We estimate that the whole dredging operation, as envisaged, will take 15 months to

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complete. This will be finalised once we have concluded negotiations with a contractor.

- 2.4) Clients will receive regular updates in future. A formal dredging plan will be published and progress reported against set targets.
- 2.5) A copy of the new, amended, dredging permit will be made available to clients as soon as the appeal procedure has been dealt with.

3) Yacht Basin Development

There is nothing new to report at this stage. Member organisations have been asked to submit final responses by end September 2018, to enable your Board to finalise its planning.

You will be kept informed as we progress with this project.

4) Funding

We can only complete our cash flow projections once the dredging plan is done. With the grant payments for this year included, we have a maintenance fund of R 3,0 million to fund the dredging operation for the next nine months, that is up to 30 June 2019. The Municipal grant for 2019/20 becomes payable during July 2019 and this should enable us to see us through to completion of the operation.

The above refers to dredging, specifically. The rest of the budgeted expenditure is covered by funding from fees collected.

5) General

POMA is “For the People, by the People”. We can only succeed with your support, which is much needed and appreciated. Please become involved – your positive input will be of great value.

Slowly, but surely, we are getting there!

Be safe out there!

Abe Uys

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