# Portfolio Committee on Public Work and Infrastructure’s report on an oversight visit to the Small Harbours and Robben Island, Dated 10 May 2023

The Portfolio Committee on Public Works and Infrastructure, having undertaken an oversight visit to small harbours on the Cape west coast, Cape Town coast and Robben Island (Western Cape), from 18 to 21 April 2023, reports as follows:

# ATTENDANCE

* 1. **Committee Members**
1. Ms N Ntobongwana, MP (ANC, Leader of the Delegation)
2. Ms L Mjobo, MP (ANC)
3. Ms S R Van Schalkwyk, MP(ANC)
4. Mr TV Mashele, MP (ANC)
5. Mr E Mathebula, MP (ANC)
6. Ms M B Hicklin, MP (DA)
7. Ms S Mokgotho, MP (EFF, standing in for Ms M Siwisa, MP)
	1. **Committee Support**
8. Ms N Matinise (Committee Secretary)
9. Mr S Denyssen (Content Advisor)
10. Ms S Letlhake (Committee Assistant)
11. Ms I Stephney (Researcher)
12. Ms F Ndenze (Communications Officer)
13. Ms S Khumalo (Camera Operator, Broadcasting)
14. Ms S Tshomela (Camera Operator, Broadcasting)
15. Mr Z Kostile (Official Photographer)

On days when the committee engaged on matters relevant to their respective mandated responsibilities, representatives from the Department of Public Works and Infrastructure (DPWI), Department of Forestry, Fisheries and the Environment (DFFE), Department of Sport, Arts and Culture (DSAC), District Municipalities, Local Municipalities, Community Leaders, Board Members and officials of the Robben Island Museum (RIM) attended, reported to, and deliberated with members.

Apologies were registered and noted from the Ministers of Public Works and Infrastructure; Forestry, Fisheries and the Environment; and Sport, Arts and Culture.

We want to highlight the importance of community involvement, active democratic citizenry, and social agency in the South African democracy by referring to the differences experienced by the committee at a few harbours.

At Saldanha Bay, Kalk Bay, and Gordons Bay small harbours, the deliberations and oversight work received knowledgeable input that enriched the committee’s understandings of issues related to employment creation, education and skills development, and social development. In examples of active citizenry several community members actively participated in the oversight visit. They provided input revealing recognition of the potential of the small harbour as a source of pride and an infrastructural conduit towards their own future well-being.

At Hout Bay harbour where community members were delinked from the small harbour, anti-social and un-democratic behaviours were threatening and literally destroyed harbour infrastructure. We provide further detail and recommendations in the relevant sections of this report.

# INTRODUCTION

During this oversight visit, the Portfolio Committee on Public Works and Infrastructure visited the small harbours on the Cape west coast (Saldanha Bay, Yzerfontein,) and Cape Town coast (Hout Bay, Kalk Bay and Gordon’s Bay) in the Western Cape, including Murray Harbour and the Robben Island Museum.

The aim of the visits to each small harbour was to gain insight into whether and how the Department of Public Works and Infrastructure (DPWI) and the Property Management Trading Entity (PMTE) were managing small harbours along South Africa’s coast through collaboration with the Department of Forestry, Fisheries and the Environment (DFFE).

The small harbours hold properties that are leased to local and multi-national businesses and fishing companies that hold long term fishing rights, use large storage facilities on the sites of the harbours and provide employment to the broad working class communities of the Cape west coast. Due to their long history in the geographic area, these companies play active social development roles with local activists and organizations in these areas. Where they do not play these roles, it is the duty of parliament and its committees to ensure that these roles are strengthened.

The small harbours are further favourably located resulting in these properties holding considerable value in tourist hot spots around Cape Town, and parts of the Cape west coast. Except for employment opportunities in the fishing factories, and on the vessels of such companies, small harbours hold the promise of community members becoming small, medium, and micro enterprise business owners in the tourism and eco-tourist activities surrounding small harbours.

This committee learnt from the legacy report of the Portfolio Committee on Public Works in the fifth parliament, that fully proclaimed functional small fishing harbours was skewed towards the Western Cape. The committee undertook this oversight visit fully intent on learning whether and how what happened at proclaimed small fishing harbours in the Western Cape, could be replicated on the Northern Cape, Eastern Cape and KwaZulu-Natal coastlines. Due to the history of the country, the development of these coastlines and its rural people have been grossly neglected. The communities living on these coastlines may have slipways to launch vessels but as there are no small harbours, proper infrastructure is absent, not well managed and job creation and local economic development potential have not been explored or fully utilised.

At the proclaimed small harbours on the Cape west coast and Cape Town coastline, we found that most of the government-owned properties were not fully utilised, were neglected and often got vandalised by communities. This led to loss of potential income, high costs to government to provide security services, and on-going rates and tax debt that must be paid to municipalities. The local, district and metropolitan municipalities where the small harbours are situated depend on these rates and taxes as revenue. Needless to say, municipalities with vast coastlines in the coastal provinces such as Northern Cape, Eastern Cape and KwaZulu-Natal were losing vital revenue without proclaimed harbours.

With regard to Robben Island Museum, prior to the oversight visit, the committee received numerous complaints regarding the maintenance and management of government property within the heritage site. The committee wanted to collect the relevant information through this visit so that recommendations could be made to the relevant departments to improve their mandated functions and correct the situation.

# MANDATES AND FUNCTIONS

## The Mandate of the DPWI - the relationship with the PMTE

The DPWI is the custodian and manager of governments’ immovable assets. This includes the acquisition, maintenance and disposal of such assets. The DPWI is further responsible for the determination of accommodation requirements, and rendering expert built environment and maintenance services to client departments.

As part of the turnaround strategy that started in the 2011-2012 financial year the former Department of Public Works (DPW[[1]](#footnote-1)) operationalized the Property Management and Trading Entity (PMTE) as an internal component within the Department in the 2014-2015 financial year. With this establishment, the responsibility for the Immovable Asset Register, and the key tasks of the DPW as the custodian and landlord of state property were transferred from the DPW to the PMTE.

After the operationalization of the PMTE, the DPWI has the responsibility for developing policy and regulations to ensure standards and uniformity in the public works, infrastructure, construction, and professional built environment sector.

The Constitution, including Schedule 4 (that describes public works as a concurrent function), the Public Finance Management Act (PFMA, Act 1 of 2009) and the respective Acts of the Independent Development Trust, Agrément South Africa, Construction Industry Development Board, and Council for the Built Environment, describes the mandate, and regulatory and governance relationship between the entities, the DPWI and the Minister.

Since the PMTE has taken over the core functions related to the GIAMA, it exercises a property management, maintenance and trading function in respect of government properties. While in the past, the DPWI acted as regulator as well as property manager of government immovable assets, since undergoing a turnaround strategy from 2011-2012 onwards, the function of property management, maintenance and trading has been devolved to the PMTE. As custodian of vast immovable assets, there is substantial opportunity to generate income and the PMTE would be responsible for this aspect of the public works function of government. This aspect lagged behind for many years due to the incompleteness of the Government Immovable Asset Register (GIAR) that is managed by the DPW[[2]](#footnote-2) as regulator and custodian department.

## The Mandate of the Portfolio Committee on Public Works and Infrastructure

The Committee does oversight over the programmatic deliverables of the DPWI and its entities to implement the policies made by the Minister of Public Works as per the mandate of the DPW. The Constitution, and Government Immovable Management Act (GIAMA, Act 19 of 2007), describes the mandate of the DPWI.

# PURPOSE OF THE OVERSIGHT VISIT

The aim of the visits was to gain insight into whether and how the Department of Public Works (DPWI) and the Property Management Trading Entity (PMTE) were managing small harbours along South Africa’s coast.

As per the Strategic Plan of this committee, it emphasized doing on-site inspection visits prior to receiving presentations and briefings from departments, entities or contracted service providers (in this case the relevant departments were DPWI and DFFE). This methodology allowed members and support staff of the committee to have direct sight of the challenges and engage with community members, construction, maintenance, project workers, and clients that are leasing in the harbours who have daily experience of the harbours. Such initial engagement is a walking-method of oversight that can be relied upon to question and engage the documentary evidence provided in board and meeting rooms. It solicits experience gathered from the actual circumstances that is used to engage with the officials of the department, entities, and communities. Often this walking-methodology leads to community members and clients joining the actual meeting and may be allowed to further enrich deliberations.

At the last two small harbours namely Kalk Bay and Gordons Bay, due to unfavourable weather conditions, the committee received briefings prior to the on-site walking inspections.

# DAY 1 OF THE VISITS: TUESDAY, 18 APRIL 2023

On day one of the visits, the committee visited the Saldanha Bay harbour. During the site-inspection walk members of the committee asked questions, which the relevant parties responded to and detailed presentations were made thereafter in a meeting setting.

The discussions related to small harbours require recognition of what the committee knew prior to its visit. These visits relate to what the DPWI/PMTE budgeted for the infrastructure upgrades and security of proclaimed small harbours. We recall that in its preparation, this committee engaged with the DPWI and PMTE in meetings and through questions to the Minister on maintenance, security, and other challenges at the thirteen proclaimed small harbours in the Western Cape[[3]](#footnote-3).

At on-site oversight visits and work-site ‘walk-throughs’, the committee wants to juxtapose all information on a budgeted item to ensure that we gain a more complete and updated understanding.

At a meeting dated 4 September 2019, the PMTE reported on R402 million being made available for the scope of removing sunken vessels across all twelve the proclaimed small fishing harbours. The challenge was this total was insufficient for every single sub-component of small harbours maintenance that included *dredging, repair and upgrades to slipways, shore crane replacements, security installations and apparatus; and civil and electrical infrastructure repairs.* This amount was updated to R 501 million in the former Minister’s 2022-2023 Budget Vote speech and remains inadequate for the stated purpose.

## Saldanha Bay Small Harbour

It was reported that there was an estimated damage of about R45 million on the quayside where Sea Harvest production buildings are situated. Sea Harvest is the sole leasing company at Saldanha Bay small harbour.

### Site visit

#### Sea Harvest Quayside

The site inspection of the Sea Harvest quayside showed damage to the jetty that could hamper business operations. The Sea Harvest Operations Director reported on the damage and related matters as follows:

* Only 55% of the quayside is usable.
* The company has about 12 vessels coming into the harbour each day, with an estimate of about 33 000 tons of fish to be offloaded.
* Due to the 45% of the quayside that is unusable, the company has to offload the catch in Mossel Bay as there is a limited timeframe to keep fish on a vessel; failure to adhere to such timeframes affect the quality of the fish. Due to the damaged quay at Saldanha Bay small harbour, insufficient docking space leads to vessels traveling to either Mossel Bay to offload or to Vikings Fishing Company in Woodstock (Cape Town) where there is ample space. Transportation costs from Mossel Bay to Saldanha ranges around R2,5 million per month. In both these scenarios employment opportunities and household income is taken away from the community of Saldanha Bay. If the challenge persists, Sea Harvest may need to move from Saldanha to one of these more favourable locations.
* Mr Moss, a local fishing community leader, indicated that he noted growth and development in employment since Sea Harvest was established. If the company moved away from the small harbour, it would destroy the community. The community would rather have Sea Harvest stay in operation in Saldanha.
* Sea Harvest employs at least 2000 local people - this includes personnel on vessels and those who working in the fish processing production line. It is the single largest employer in this Cape West coast region. The company has been in existence operating from Saldanha Bay small harbour for the past 63 years.
* The Harbour Master employed by the DFFE indicated that there was a need for another jetty as the current one had insufficient space for boat docking. As a means of relieving the pressure from the main jetty and avoid double-docking the slipway jetty was used when there was congestion.

#### The Winch Room

In the winch area, a new winch room was constructed by the PMTE and officially opened by the former minister during the 2021-2022 financial year.

The winch room housed the hauling or lifting device consisting of a rope winding round a horizontal rotating drum, typically turned by a motor. The winch helps in moving the vessels in and out of the slipway for repair purposes.

Before these improvements the winch could handle 500-ton vessels. The refurbishment of the winch room, meant that an advanced winch motor was installed that could now move 1200-ton weighing vessels. This made Saldanha Bay the only small harbour with the capacity to service large fishing vessels. The main slipway can handle up to 1200-ton ships and 600-ton ships on the two available sideslips for repairs. The sideslips could not function without the main slipway as there was an automated system that moved vessels from the main to the side slipways.

According to the Harbour Master, in commercial harbours, it costed ten thousand rands (R10 000.00) to winch vessels in, and another R10 000.00 to winch them out; meaning a total cost of twenty thousand rands (R20 000.00) per vessel. In Saldanha, it only costs R450 rand for both winching in and out because this function was subsidised. This could be attributed to DFFE legislation that regulated fees and levies in small fishing harbours. The Revenue Management Unit in the DFFE was responsible for levies and regulations. The levies had not been updated for a number of years and was clearly outdated. The last time there was an attempt to revise levies, there was vehement rejection by the fishing companies and boat owners. Currently, a blanket approach was applied in determining the cost levied that did not consider the size of the business owning the ship.

#### Slipway Office and Closed Circuit Television (CCTV) Room

The slipway office is one of the newly built buildings in the winch area.

There is CCTV room in the building. The motion cameras only pick up movements and only start recording upon motion detection. The footage lasts for 3 months only and there is no backup for it after the three months’ period lapses.

CCTV systems are really only useful for security purposes and fit for purpose if it is secured, monitored for 24 hours, operated by properly trained staff according to security industry standards, that follow standard operating procedures (according to which they monitor screens, archive and delete material and record their own hourly movements when on duty).

During the on-site oversight walk-though members engaged the DFFE and PMTE personnel on the operation of this security measure, and learnt that there was no assigned trained security staff that secured and operated the CCTV room.

#### Sunken Vessels Hamper Fishing Operations

The committee found two sunken vessels in the harbour. The Harbour Master reported that they were submerged for a period of two to three years. It was reported that a notice was served to one of the owners but the owner indicated that they were not in a position to recover the vessel due to financial constraints. Most owners opt to abandon their vessels upon realising the quoted cost to remove sunken vessels. Legally, the DPWI and DFFE have no right to remove property that does not belong to them, regardless of how detrimental the property is to the harbour and leasing clients such as Sea Harvest. The current legislation [Marine Living Resources Act (1998)] is unclear about recovery of sunken vessels. The asset disposal unit within DFFE may only remove the vessels upon concession from the owner.

#### Dilapidated building

The committee caught sight of a dilapidated building in the harbour precinct and when questioned, the DPWI stated that they have applied for demolition therefore a process is underway.

#### Abandoned Restaurant

Regarding the restaurant that closed down due to the Covid19 economic lockdown, the DPWI indicated that it would advertise for a new tenant. No timeframes were given.

#### Boat Store

This is one of the recently erected buildings by the DPWI. It houses freezers and is currently being used to store abalone and crayfish recovered from convicted and incarcerated criminals who were either arrested while poaching or found in illegal possession of such marine species. After cases had been finalised, the specimens would be sold through a formal disposal process with the proceeds going to the Marine Living Resources Fund, which is an operational fund of the DFFE.

#### Security

Security remains a challenge, especially in the light of no permanent trained security staff at the installed CCTV room and with no physical security service provider in the harbour.

#### Skills development

Certified training of locals on winching and dry-docking is provided by the DFFE in the harbour for employment purposes.

### Briefings by the DPWI and DFFE

After the on-site walk-through and discussions with clients, community and officials, the committee received presentations from both departmental officials.

#### Presentation by the DPWI

The Acting Deputy Director-General responsible for small harbours within the DPWI led the presentation and highlighted areas that were identified for improvement in the Saldanha Bay harbour. The focus was on the removal of sunken vessels, repairs to slipways, security upgrades, civil infrastructure upgrades and electrical infrastructure upgrades. The DPWI is responsible for the maintenance, repairs and leases in the proclaimed small fishing harbours.

#### Presentation by the DFFE

The Acting Deputy Director-General responsible for small harbours led the presentation and presented as follows:

##### **Background and history**

The fishing harbours were constructed in 1925 to provide access and serve the fisheries industry. In 1998, the Marine Living Resource Act, 18 of 1998 (MLRA) was passed which governed the proclamation and management of proclaimed fishing harbours under Section 27. Under the Act, the Department of Forestry, Fisheries and the Environment is responsible for regulations and management of proclaimed fishing harbours in relation to the objectives of the Act:

*“Conservation of marine ecosystem, long term sustainable utilisation of marine living resources and orderly access to exploitation in a fair and equitable manner to the benefit of all citizens of South Africa…”*

Section 27 of the MLRA covers:

* Section 27

(1) & (2) Declaration of a fishing harbour or portion of commercial harbour

(3) Determination of fees to use the fishing harbour or facilities.

* Section 77 (z) Develop regulations governing the administration of proclaimed fishing harbours and any other matter incidental thereto;

MLRA Regulations speaks to fishing harbours:

* Chapter 9,

Part 2 (88 95) outlines the regulations which deals primarily with access, slipping, mooring and safety management of the proclaimed fishing harbour’s

The twelve proclaimed small fishing harbours are Lamberts Bay, Berg River (Laaiplek), St Helena Bay, Saldanha Bay, Gordons Bay, Kalk Bay, Hout Bay, Arniston, Hermanus, Gans Bay, Still Bay and Struis Bay[[4]](#footnote-4).

* **DFFE - Management of Proclaimed Small Fishing Harbours**

*Human Resources:*

DFFE currently has significant human capacity constraints in the harbours with six Harbour

Masters appointed but there are twelve harbours. There is also a shortage of Dockers and Dock Masters.

To assist with capacity, 216 contract workers have been appointed through the Working for Fisheries programme to assist with management, cleaning and operations of the twelve fishing harbours. The position of the Director: Proclaimed Fishing Harbours post has been advertised and closed on 10 April 2023.

*Repairs and maintenance:*

The DFFE is responsible for minor repairs and maintenance (<R100 000) and DPWI for major maintenance. DFFE provides input in the User Asset Management Plans (UAMPS) in collaboration with DPWI to inform what repairs and maintenance are required and the estimated annual costs.

Sunken and abandoned vessels were previously removed by the DPWI under infrastructure projects. DFFE is currently working with internal legal support to issue owner’s notices and follow legal process to remove and dispose of sunken or abandoned vessels.

*Security:*

The DFFE and DPWI currently have temporary security stationed at high-risk harbours, however this intervention is not sufficient to address the vandalism and security risks. The DFFE has done an assessment of the security requirements of the fisheries offices as well as buildings and is busy with procurement of services. The specifications will be revised and advertised shortly. The specifications include armed response, security, infrastructure and security personnel. There are various users in the small harbours and security is a broader responsibility.

*Collection of revenue:*

Levies and harbour fees are minimal as the primary function is to support fisheries and this does not cover the operational costs.

# DAY 2 OF THE VISITS: WEDNESDAY, 19 APRIL 2023

On the second day the committee first visited the Yzerfontein harbour and then proceeded to the Hout Bay harbour. During the on-site ‘walkthroughs’, members engaged various role-players which were followed by detailed presentations meeting room settings.

## Visit to Yzerfontein

The Committee learnt that the Yzerfontein harbour had no Harbour Master appointed by the DFFE because it was an unproclaimed fishing harbour managed by the Swartland Local Municipality. The municipality contracts a service provider for the management of the harbour over a period of three years at a cost of nineteen thousand rands (R19 000.00) per month, which adds up to six hundred and eighty-four thousand rands (R684 000.00) per contract. It follows a tender process through its supply chain process for every three years to appoint a service provider in a Harbour Master contract. According to the municipality, it is more cost effective to have a service provider that is paid maintenance fee instead of a highly regulated full time employee.

This ocean at harbour is endowed with crayfish that runs during the period September to April each year that translates to the busiest time of the harbour due to activity. The DPWI built a jetty that remained in use by the local communities of Darling, Laaiplek, and surrounding rural areas that catches crayfish or for touring and related recreational activities. This harbour is not allowed to charge entrance fees but they rather charge maintenance fees. Light vehicles are charged R50.00 each and fishing boats R150.00. When the fish run, an average of 120 boats park at the harbour to catch fish. Revenue generated from the harbour goes to the municipality. An average of R420 000 per fishing boat is collected annually. During busy seasons, no light vehicles are allowed inside the premises because priority is given to boats and trailers.

There is a fish market on the other side of town where it is conducive for fishing production.

There are two vendors who sell coffee and fishing materials that operate at the harbour.

There are two slipways in the harbour, one of which has a concrete structural damage and the other has been affected by sand that has moved away from concrete that has created a hole where boats can be stuck. The pier also has structural damage.

The municipality manages the slipways on behalf of the DPWI while there is no formal agreement in place. The DPWI committed to send a team of engineers to do a preliminary assessment and thereafter, based on the damage, would commission a project based on the assessment results. Another commitment that was made by the DPWI was that the Memorandum of Understanding between DPWI and municipality would be finalised by end of June 2023.

### Briefings by the Service Provider, Municipality, DPWI and DFFE

During deliberations, the committee raised its concern regarding the act that Yzerfontein is still not a proclaimed fishing harbour and strongly recommended that the proclamation engagements needed to start as soon as possible. The proclamation requires engagements between different stakeholders (DFFE, province, community, municipality etc.) Given the size of the area, it might be difficult to proclaim this as a fishing harbour. The DPWI committed that a proclamation plan would be tabled to the committee within the next three months.

Another issue was that of an R800 000 debt owed to it by the DPWI, dating back to 2017. This was as a result of a “gentlemen’s agreement” reached between the department and the municipality, where repairs of the parking area were undertaken by the municipality with the notion that the department would reimburse but the department never kept to the end of the verbal agreement.

## Visit to the Hout Bay Harbour

The Deputy Mayor of the City of Cape Town and a local Councillor who is a Member of the City of Cape Town’s Mayoral Council attended the walk-through and presentations by the PMTE and DFFE. In their opening remarks, they both conceded that the Hout Bay harbour was pregnant with possibilities that could, through Public Private Partnerships (PPPs) maximise economic activity and revenue generation for the area, city and the country. They also committed to be part of all engagements regarding rebuilding the harbour and bring it back to its former glory.

### Site visit

#### Sea Rescue Area

The Sea Rescue area that is used for treatment of ailing seals is maintained by the DPWI. In that area, security is highly compromised as vagrants destroyed fencing, damaged security features and took lights off so it is highly insecure. In collaboration with the South African Police Services (SAPS) the PMTE conducted an assessment that the damage caused by criminal activities, drug abuse, and unemployment was around R500 000.

#### Sunken vessels

It was alleged that some sunken vessels were deliberately submerged by criminals to block other active boats from parking in the harbour so that they can utilise the space for their own docking and poaching purposes.

There are currently four (4) sunken vessels in the harbour. One of those has been in the harbour for about ten (10) years. When the DPWI took initiative to remove all sunken vessels in 2018, this vessel was faulty but had not submerged and the owner had plans to remove it. However, after it submerged, the owner could not be traced as the DFFE later learnt that he had moved to Holland.

The process of removing sunken vessels is one that has to be carefully considered and actioned because there are legal and cost implications. The Harbour Master gives a 30-day notice before the DFFE legal department takes the matter over if the Harbour Master cannot solicit absolute cooperation from the owner. The cost of the removal lies with the owner of the vessel.

#### High Rate of Community Criminality - Security Breaches

The committee had to limit its on-site ‘walkthrough’ due to security threats from alleged poachers who entered the harbour in numerous high-powered SUV’s. They commanded the committee to switch off cameras so that they “could do their job properly”. The Harbour Master were traumatised by this on-going terror and humbly pleaded with the delegation to immediately move away from the jetty, as the alleged poachers were capable of causing a scene and could possibly harm the delegation with live ammunition if there was any resistance.

It was reported that human trafficking, poaching and drug trade was very rife in the harbour and over time it worsened as there was no visibility from SAPS officials and SANDF. The DPWI contracted a tactical response security company to secure the entrance of the harbour and Harbour Master’s office after numerous hostage incidents that were a threat to the Harbour Master’s life.

According to the Harbour Master, the two surrounding communities would often fight about activities that should take place at the harbour, so that criminal elements leverage on such gatherings to gain access to the harbour.

The boom gate at the entrance was damaged and taken off through acts of criminality and the security access point was vandalised.

There was a vandalised dilapidated building on the far end side of the harbour, which was reportedly housing drug lords and necessitating human trafficking activities.

The DPWI stated that a window for proposals calling for investors in the harbour was opened but all that the security challenge had to be resolved so that investors could feel secure enough and free to invest in the harbour.

### Briefings by the DFFE and DPWI

The DDG responsible for Small Harbours in the DFFE led the presentation. She stated that Hout Bay was the busiest but most chaotic fishing harbour. She further reported that poachers launch in Hout Bay and poached abalone at Robben Island (in spite of it being a marine protected area).

The fishing industry was declared an essential service since during the Covid19 lockdown. A lot of fishing operations were affected by covid19 regulations as fishing and related products could not be transported out and fishing companies lost revenue. Based on this the Minister of Fisheries, Forestry and the Environment decided not to increase fees in harbours.

According to one of the NGOs that did a survey on illegal poaching in South African harbours, the value of the illegal poaching of abalone is three times the value of the formal economic activity in harbours. This would be linked to drugs, human trafficking and other illegal activities. The syndicate buys the local communities’ loyalty through their own social investment as they would allegedly buy food parcels, shoes and clothing items for the benefit of the communities, which makes it difficult for communities to fight against such criminal elements.

The Acting DDG responsible for small harbours in the DPWI committed to ensure that relevant departments and municipality meet by 1 May 2023 to hold discussions to revive the harbour management forum.

# DAY 3 OF THE VISITS: THURSDAY, 20 APRIL 2023

## Visit to Kalk Bay harbour

Due to unfavourable weather conditions the committee could not do its usual on-site walkthrough of worksites at the harbour. Members used a local restaurant and leaseholder as meeting venue.

### Briefings by the DPWI and DFFE

#### Infrastructural upgrades

The DPWI reported the following upgrades that were done at the harbour:

* 90-ton and 30-ton slipways
* Shore crane
* Security upgrade (CCTV cameras) that are not monitored after hours. There is a tender that is out, whose specifications include armed response and after hours monitoring and the process will commence in May 2023.

#### Structural damages and infrastructure requirements

According to the Harbour Master:

* The sewage pump station is unable to withstand the volumes of waste because the current one was meant for fishermen only so it takes strain during the holidays and peak tourist season periods.
* Breakwater damaged the vehicle access point.

A member of the community who identified himself as part of the fifth generation of Kalk Bay and a member of the Harbour Management Forum (HMF) stated that Kalk Bay had the most lobster but none of it was processed in the harbour by the community itself. Fresh crayfish gets shipped out at great costs to be processed elsewhere. This meant that the community was losing revenue to external business parties. The local small scale fishing sector wanted to do this processing in-house and required a piece of land of the harbour that could enable communities to regain control over the product that they fish. He stated that the land he referred to was the site where his great-grandparents and the original Kalk bay fishing community used to live in fishing cottages. The apartheid government removed them and housed them in council flats half-way up the near-by Kalk bay mountains. The vision was to get community participation in small scale fishing and crayfish processing. This would instil proud ownership of the Kalk bay small harbour through active participation in the fishing industry.

He further stated that Kalk Bay was the only area that resisted the Group Areas Act because the community had 100 vessels in the harbour that could not be moved by the apartheid government. The pride the community has of their forefathers’ gains makes them unite against any views and activities that are contrary to the development of their community. The local fishing community recommended that the DPWI and DFFE should negotiate with the City of Cape Town Council to avail the land parcel for the construction of a cray-fish and fish processing infrastructure.

The DPWI committed to commence discussions with the DFFE and City of Cape Town Council to facilitate the identification, and hand over of the identified parcel of land for business infrastructure development.

#### Leases

There are currently four leases, of which two (Harbour House and Kalkie restaurants) are active and the rest are on a month-to-month basis. The small temporary structure is a small lease managed by the DFFE on behalf of the DPWI.

#### Fish market

The harbour also has a fish market suitable for cleaning of the fish by anglers, which allows them to be able to sell fresh fish to patrons at the harbour. There are twelve informal traders and four fish cleaners operating at the harbour.

#### Harbour management

The DFFE is responsible for the day-to-day harbour operations.

It was reported that there is a shortage of workforce. The DFFE through the Expanded Public Works Programme (EPWP) has created employment for thirteen beneficiaries, eight of which are female and five are male.

#### Human resources

The DFFE reported a skills shortage challenge in the province, as a result, the department had to source specialised skills from other provinces, which means the locals do not get as much employment opportunities. To curb the challenge of skills shortage in the area, the DFFE is however creating a skills pool by taking the EPWP participants and other locals through a specialised upskilling programme from Grade 10 to degree level so that they can be employable in the near future.

#### Security

Security remains a challenge in the harbour.

Criminal activities that are eminent in this harbour include poaching, armed robbery amongst others because there are no visible security guards at the harbour. Gangs have also established themselves in the area, which spills off into criminal activities in the harbour. According to the Harbour Master, two dead bodies were found in the harbour precinct in the most recent past.

DFFE committed that the Bid Committee would deal with the supply chain process in an attempt to curb criminal activities through tightening security systems at the harbour.

#### Tourism

Apart from its normal harbour operations, this harbour enjoys a lot of tourist attraction and commercial business especially from the advertising and entertainment sectors. The Harbour Master reported that some local and international films and photo shoots were done in the harbour. Through such economic activities, the community benefits through their small businesses and boats.

Rates and levies charged are the same for both local and international entertainment businesses.

## Visit to Gordon’s Bay harbour

The committee commenced with a briefing and later did site inspection of the harbour.

### Briefings by DPWI and DFFE and site visit

#### Structural damages and infrastructure requirements

The Acting DDG responsible for small harbours in the DPWI stated that the main refurbishments that were done at the harbour were the slipway, shore crane and boom access gate.

The DFFE is responsible for minor maintenance of the harbour space and DPWI is responsible for major maintenance.

The Acting Harbour Master outlined the following infrastructural requirements:

* Sand quickly fills up at the harbour, which damages yachts and boats and some cannot even park properly during high tides because of the piling sand. The last dredging was done in 2018. The DFFE has no pump and motor to suck out the sand to avoid it from damaging boats. A tender has been advertised and a twelve months’ contract will be awarded while the DFFE is in a process of procuring its own pump.
* There is no space for fish processing. Engagements have commenced between the departments in an attempt to resolve the challenge.
* The Harbour Lights buildings (which is one of the active leased buildings) is at risk because there is no visible security official so vagrants do as they please because the business for which it was leased is not operational. A lot of criminal activities that take place in the building ensue after hours because CCTV cameras are not monitored during that period.
* Illegal parking marshals fight for the space, which poses a threat to tourists and patrons that visit the harbour.
* There are no tyres around the jetty for mooring purposes and as a result, some boats / yachts get damaged from rubbing on concrete walls.
* The wooden jetty is also worn out and unsafe for use. The DFFE committed to fix the wooden jetty and add tyres in the same project.

#### Leases

It was reported that there were five tenants at the harbour. Of the five, were three active leases and two month-to-month leases.

#### Harbour management

The harbour does not have a Harbour Master because the previous incumbent resigned because of alleged corruption. At the time of his resignation, a disciplinary process was underway. All proceeds from the pension and annual leave accruals were held until the case has been finalised and the verdict given. This is so that the monies can b recouped from his proceeds should he be found guilty of any form of corruption. The Acting Harbour Master is the Acting Director: Small Harbours, who is also a Harbour Master for two other harbours (Gansbaai and Hermanus)

The Yacht Club manages rentals of vessels then the DFFE bills the Yacht Club. The DFFE charges yacht owners for mooring space.

A Harbour Users Committee (HUC) ensures the smooth running of the harbour and other related matters.

The users pay R225.00 per vehicle per annum for parking.

#### Human resources

It was reported that there were twenty-six EPWP beneficiaries who are being upskilled. These comprise of female, male and a person with a disability.

The Dock Master position has been advertised so locals are welcome to apply.

# DAY 4 OF THE VISITS: FRIDAY, 21 APRIL 2023

## Visit to Robben Island Museum

The committee held a session at the Robben Island Museum (RIM) auditorium (V&A Waterfont), where it received briefings from the DPWI and RIM Executive Management. Additional to the DPWI officials, Department of Sport, Arts and Culture (DSAC) officials, the Chairperson of the RIM Board, Board Members, Chief Executive Officer (CEO) and other members of the RIM executive committee were in attendance.

### Briefings by the DPWI, RIM and DSAC

In his opening remarks, the Board Chairperson clearly stated that the entity was struggling to self-sustain but committed that in their tenure as the board, they would ensure that the entity is turned around and capacitated to generate revenue so that it can be self-sustainable. He further indicated that 2024 marks 30 years of democracy so the island will be a spectacle, therefore they want to do all they can to ensure that the museum is fit for purpose and as such, would appreciate assistance from all stakeholders including Parliament.

*Background and history of Robben Island Museum:*

Robben Island Museum (RIM) is a Schedule 3A Public Entity reporting to the DSAC that was established in 1997 and started operating on 1 January 1997. It is a declared cultural institution in accordance with the Cultural Institutions Act of 1998.

The museum is based on a site with a multi-layered history that goes back to the 16th century:

* Banishment place for local chiefs resisting colonialism
* Banishment place for lepers
* Defence line for the 2nd World War
* The island was a prison for political and common law prisoners from the 1960s to the early 1990s.
* RIM was declared a World Heritage Site in December 1999.
* RIM has also declared a Marine Protected Area in 2019 which is a controlled zone in terms of environmental compliance requirements by the Department of Fisheries, Forestry, and Environment.
* RIM consists of five main sites: Robben Island, Nelson Mandela Gateway, Mayibuye Archives, Jetty 1 and Quay 501.

 The Committee raised its concern about the Independent Development Trust (IDT) that was not being utilised but instead, the DPWI kept referring to Coega Development Corporation (CDC) for implementation of projects at Robben Island.

Human capital remains a challenge as the island operates with six officials out of the initial thirty that originally was employed. This was reportedly attributed to the decrease in funding appropriated from the National Treasury.

### Site visit:

#### Infrastructural upgrades

It was reported that the following structural upgrades were made:

* RIM installed the power plant and generators.
* Coega Development Corporation (CDC) as commissioned by the DPWI in 2019 before their contract expired completed installation of the floating jetty. This took eight months to install, ensuring safety and legal requirements as well as anti-poaching activities.
* Shackles and chains fencing was also installed by the DPWI through CDC.
* The DSAC and Department of Tourism (NDT) funded renovation works at the Visitors Centre that the ex-political prisoners used to utilise when visiting their loved ones.
* The DSAC painted the exterior of the houses in the village. Most unutilised houses would be converted to guest houses for revenue generation purposes by RIM.
* The Guest House is currently being used as a conferencing facility. It has been earmarked as part of the capex projects for renovation.
* Alpha One restaurant services visitors for refreshments during break time while touring is also earmarked for revamp.
* The Quarry is one the most sentimental sites in the island because of the rich history it holds as prisoners used to be walked from the maximum prison to mine the blue stone through hard labour without any machines to support the work. The blue stone was then used to build most of the buildings in the island, including the maximum prison. As part of the capital projects, the DSAC refurbished the stone wall at the quarry through dry stone packing. The descendants of the ex-political prisoners were included in the project as labourers.
* The interior of the ‘Ou Tronk’ (Old Prison) was refurbished by the DSAC for internal exhibition. Exterior works and painting are part of the planned maintenance projects by the DPWI.
* In the Water desalination plant, membranes are in a process of being procured by the DPWI. New membranes are being assembled at a cost of R22m. These will last for 25 years. All parts are imported and maintenance is also imported. Installation is expected to take place in a space of two weeks from the committee’s visit.

#### Structural damages and infrastructural requirements

* Water scarcity in the island remains a challenge. According to RIM, water has to be ferried from the main and to the island every day, which costs about exorbitant amounts per month. This has led to some tours being cancelled because RIM is managing volumes of tourists in the island while there is insufficient water available for ablution.
* There are alien combustive plants that grow in the island. Some of these are old and dry, which means they are a fire hazard. With the water scarcity situation, the island remains in danger. Control burns are however held by the DFFE in collaboration with the City of Cape Town. Due to this situation, the island needs more funding for horticultural purposes as they need to plant new non-combustive plants that would in the near future grow as trees.
* The current desalination plant currently takes up to 70% power capacity so a new system that is energy efficient needs to be installed. Wastewater treatment plant and reverse osmosis desalination plant are two major capital projects in the pipeline. The current generator that is at the desalination plant was decommissioned because it was not maintained. RIM moved from R600 000 to R1m per month diesel spend because of lack of maintenance so generators consumed more power than they should.
* The island fully operates off the main power grid (Eskom). The solar and generator system are linked. There is a container that charges the solar battery pack. In order for the island to go fully green, it needs to increase the battery pack capacity by 80%. DSAC has committed to provide funding.
* Of the five generators that were installed by DSAC through the tripartite agreement (DPWI, DSAC and RIM), the 1mv generator is the only one with the biggest capacity but the rest (4) are the most critical for powering the island, these are the ones with most problems. Two of these generators are currently faulty (gasket problems). An estimated repair time of about three to four weeks depending on the availability of the engineers can be expected. The biggest generator sustained the island while the smaller ones were faulty, which increased diesel consumption more. These are also the old generation generators, which also contributes to diesel consumption.

# FINDINGS

9.1. Key positions, particularly at management level in the departments are either vacant, or filled by staff who are acting in these positions resulting in a loss of institutional memory, and a break in continuity, whereby decisions and projects are not implemented and/or finalised.

9.2. Security issue at the small harbours includes the provision of the physical security infrastructure (i.e. access gates, security gates; security cameras; and perimeter fencing), as well as, the required security personnel for the harbours. No budget was made available to provide security monitors and patrolling services at the harbours. It was indicated that a request was made to include this line item and for the budget to be made available, to the Department of Forestry, Fisheries and the Environment.

9.3 The required budgets for maintenance; as well as the skilled personnel to implement these maintenance projects remains a concern. Furthermore, it was noted that in some instances budgets are made available, but that sometimes the funds are not used for what it was set aside for. As noted above, other instances included funds that are available, but are not utilised, or only partially used for maintenance, resulting in infrastructure breakdowns requiring larger budgets to repair or more often to replace these items.

9.4. As noted above, securing the small harbours from vandalism (i.e. buildings and electrical infrastructure) and criminal activities (i.e. human and drug trafficking), as well as poaching at Kalk Bay, Hout Bay and Robben Island remains a key concern for the continued sustainable functioning of these areas. Security measures that include 24-hour monitoring of cameras; armed guards; coordination with the South African Police Service as well as sustained patrols by the South African National Parks Officials (SANParks) and the Navy might be considered.

* 1. The committee noted the length of time it was taking for DFFE to revise levies of vessel owners for use of the winches and other infrastructure at the small harbours. It stressed that it had to be accelerated.
	2. The Marine Living Resources Act (1998) is unclear about the responsibility to remove sunken vessels. This required research to guide amendments that improve the implementation of the law.
	3. The Auditor-General raised a red flag regarding month-to-month leasing. This affected businesses and possible investors. The PMTE needed to give serious attention to this matter towards resolution.
	4. There is no proactive scheduled maintenance in Robben Island, which can be attributed to the demise of the Tripartite Agreement between the DPWI, DSAC and RMI.

# RECOMMENDATIONS

Having considered the findings that emerged from, and are evident in the deliberations, the committee recommends that the Minister of Public Works and Infrastructure:

* 1. Facilitates engagements with the Minister of Forestry, Fisheries and the Environment for the amendment of the Marine Living Resources Act (1998) so that levies can be revised and the issue of the responsibility of removing sunken vessels can be clarified. The revision of levies/rates should be informed by the factors like the size/length of the vessel, company size, individual/corporate status. In terms of rates charged, there should also be a distinction between local and international filmmakers who utilise the small harbours for commercial purposes.
	2. Ensures that client departments prioritise upskilling of EPWP beneficiaries for professionalization in specialised required skills in the fishing industry and harbour management.
	3. Ensures that there must be a skills development and employment component stipulated on the requests for quotation (RFQ) of any project that DPWI and DFFE commission in small harbours. Government should collaborate with the local Further Education and Training (FET) colleges for skills development.
	4. Ensures that there are back up storage systems for CCTV footage in all small harbours so that the information can be accessed from archives as and when required.
	5. Resuscitates the Harbour Management Committee in Hout Bay as a matter of urgency and ensure social facilitation to correct the negative attitudes of community members who participate in illegal activity.
	6. Revisits the Memorandum of Understanding (MoU) around harbour management between the DPWI and DFFE departments.
	7. Ensures that all buildings constructed by the DPWI are compliant with the Occupational Health and Safety Act 85 of 1993 (OHSA).
	8. Together with relevant departments, briefs the joint committees on PWI, FFE, Police and Defence regarding issues at the Hout Bay harbour before 19 June 2023.
	9. Forges relations with the Department of Small Business Development (DSBD) to ascertain that there is adequate support for small businesses so that they can operate in the economic activities in small harbours.
	10. Ensures that there is a plan for planned proactive maintenance of infrastructure that will be implementable in small harbours and Robben Island Museum.
	11. Revives the Tripartite Agreement between the DPWI, DSAC and RIM for proper management and maintenance of the Robben Island Museum.
	12. Forges relations and resumes engagements with the Department of Tourism to increase revenue for the sustainability of Robben Island Museum.
	13. Facilitates engagements and consultations towards building a bridge from Blouberg, (which is seven kilometres away) to Robben Island so that a pipeline for power and water can be installed from the main land. This could be done through Infrastructure South Africa as a branch of the DPWI.

**Report to be considered.**

1. The DPW became the DPWI in 2019. [↑](#footnote-ref-1)
2. Referring to the Department’s former name here purposely as stated in Section 4 of the GIAMA. This section of the Act makes the Minister of Public Works the custodian of all “immovable assets that vests in the national government, except in cases where custodial functions were assigned to other Ministers by virtue of legislation before the commencement of this Act;” The GIAMA states that the establishment and management of the GIAR across the three spheres of government is the responsibility of the DPW as custodian department. [↑](#footnote-ref-2)
3. At her 6 December 2021 speech at Hermanus Harbour Infrastructure Upgrades the Minister of Public Works and Infrastructure listed small harbours as follows: Lamberts Bay, Laaiplek/Bergrivier Harbour, St Helena Bay, Saldanha Bay, Pepper Bay, Hout Bay, Kalk Bay, Gordons Bay, Hermanus, Gansbaai, Arniston, Struisbaai and Stilbaai. [↑](#footnote-ref-3)
4. Note the discrepancy between the DPWI/PMTE and the DFFE on the identified proclaimed small harbours. [↑](#footnote-ref-4)