

**MINISTRY**

**PUBLIC WORKS AND INFRASTRUCTURE**

**REPUBLIC OF SOUTH AFRICA**

Department of Public Works l Central Government Offices l 256 Madiba Street l Pretoria l Contact: +27 (0)12 406 1627 l Fax: +27 (0)12 323 7573

Private Bag X9155 l CAPE TOWN, 8001 l RSA 4th Floor Parliament Building l 120 Plain Street l CAPE TOWN l Tel: +27 21 402 2219 Fax: +27 21 462 4592

[www.publicworks.gov.za](http://www.publicworks.gov.za)

**NATIONAL ASSEMBLY**

**WRITTEN REPLY**

**QUESTION NUMBER: 514 [NW580E]**

**INTERNAL QUESTION PAPER NO.: 04 of 2022**

**DATE OF PUBLICATION: 25 FEBRUARY 2022**

**DATE OF REPLY: 11 MARCH 2022**

**514. Mrs M B Hicklin (DA) asked the Minister of Public Works and Infrastructure:**

(1) With reference to both the Gordons Bay and Hout Bay Harbours that have now seen access control boom gates being erected which restricts access for residents and patrons to both the restaurants and the sick bay and neither set of booms are being correctly operated, who (a) gave instruction for the erection of the boom gates and (b) gave permission for the booms to be erected;

(2) whether correct procedures were followed for the awarding of the tenders for the erection of the booms; if not, why not; if so, what are the relevant details;

(3) to whom is the revenue for the booms being paid;

(4) whether all the tenants affected by the booms were consulted before the process begun; if not, why not; if so, what are the relevant details;

(5) whether she will furnish Mrs M B Hicklinwith copies of the public participation records; if not, why not; if so, what are the relevant details? **NW580E**

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**REPLY:**

**The Minister of Public Works and Infrastructure:**

**Question 1:**

1. I have been informed by the Department that both Hout Bay and Gordon’s Bay Harbours respectively have always had boom gates. The new boom gates have merely been automated to assist our client, the Department of Forestry, Fisheries and Environment (DFFE) with better control over revenue collection, management of the harbour precinct and access control.
2. No permission was required as this is in line with the gazetted tariffs for the entry of a Proclaimed Fishing Harbour as per the Marine Living Resources Act. The Department did, however, consult all Interested and Affected Parties (I&AP) on the new automated system.

**Question 2:**

Yes, the correct procedures were followed to award the tenders for the erection of the booms. The automated boom gates were only one component of the Land Infrastructure upgrades which falls within the current repair and maintenance programme to the 13 Proclaimed Fishing Harbours in the Western Cape. All tenders were issued through our Implementing Agent, Coega Development Corporation (CDC) and are in line with all National Treasury prescripts and regulations for procurement. As CDC is a state entity, complying with the PFMA is mandatory.

**Question 3:**

As mentioned in the previous question, the boom gates were part of the land infrastructure upgrades project. The boom gates were formalised from a manual system to an automated system which intended to aid the client DFFE to collect the revenue for gate entry which is contained within the Marine Living Resources Act i.e. cars: R5 per day. Our client Department: DFFE presides over the revenue collection which adds to the financial resources of the State via the Marine Living Resources Fund.

**Question 4:**

Yes, as mentioned all Interested and Affected Parties were consulted throughout the entire repair and maintenance programme to the Proclaimed Fishing Harbours. The Interested and Affected Parties include the tenants as well as all harbour users i.e. boat owners, day-to-day harbour users, including fish fleckers and surrounding communities that obtain a livelihood from the harbours. The respective harbour masters played a critical role in keeping all harbour users abreast of progress against the scope of work for each project under the repair and maintenance programme.

**Question 5:**

Public Participation in the Hout Bay and Gordon’s Bay precincts were managed through the appointment of Community Liaison Officers (CLO) for each project package via the main contractor and/or the appointed local Small, Medium and Micro Enterprise (SMME).

DPWI can make copies of the public participation process records available subject to complying with the POPI Act. These records contain the names, surnames and contact details of each Interested and Affected Party that submitted comments during the various projects phases.