

**N21 (R300) Cape Town Ring Road
Draft Notes from One-on-One Meeting
Mark Dittke: Environmental Lawyer**

TIME: 16H00-15H00
DATE: Monday, 26 August 2002
VENUE: Liebenberg and Stander Centre, Foreshore

1. Attendance

NAME	ORGANISATION
Mark Dittke	Attorney at Law
Poens Venter	Penway Consortium
Sadia Chand	Chand/Ecosense JV
Emily Herschell	Chand/Ecosense JV

2. Issues

S Chand opened the meeting by asking M Dittke what questions and concerns he had regarding the proposed N21 (R300) Toll Ring Road that he would like responses to. The following issues arose out of the discussion:

COMMENTATOR	COMMENT	RESPONDENT	RESPONSE
ISSUE: Traffic Impact and Traffic Model Documentation			
M Dittke	I would like to review information with regards to the traffic model so as to confirm the need for two roads in the south.	P Venter	The team has made use of the EMME2 model, which has been developed by the City of Cape Town (CCT) over the last ten years or so. When the toll ring road project started, the team made use of this model, and improved it by doing additional counts and incorporating all the different zonings from the year 2000. The internal traffic engineers are from Goba Moahloli Keeve Steyn (Pty) Ltd and are based in Johannesburg. They are well known in the toll road industry and are familiar with municipal traffic models. New information (the raw traffic data) was added to the CCT model. Our output focuses on the R300 corridor. Note that this model would be transferred back to the CCT and it shall become available during the tender phase.

M Dittke	Is it not available now, as people are questioning the need for the entire road, and especially the need for two roads in the southern area?	S Chand	Note that the traffic engineers are using a fully acceptable traffic model, and this model is to be audited by international auditors to ensure its accuracy.
		P Venter	The model itself is still being developed. As we speak, surveys and counts are being conducted. As soon as the project goes out to tender, this information would become available. Note that macro and microeconomic studies have been commissioned as well. Road network planning is an ongoing process. We need to ensure that this road forms part of the road network, and we have approached John Marthese regarding this issue.
		S Chand	Note that the economic study is not yet completed but this would reflect savings in terms of driving times, wear and tear on vehicles etc.
M Dittke	If the CCT say they do not want this road, then would the project be stopped?	P Venter	Yes, this is correct. Note that a report for the road network in the northern section has been completed, and the outcome is that it is a workable proposition. The CCT has requested an analysis of the network in the south.
M Dittke	Who completed this report?	P Venter	Jeffares & Green.
ISSUE: Representation			
S Chand	Are you representing the Zeekoevlei Environmental Forum?	M Dittke	Yes, amongst other civic groups and NGOs, who all have a common resistance to this road proposal.
ISSUE: City of Cape Town			
M Dittke	There is a tremendous amount of opposition to this proposal within the CCT itself. Some departments agree with it, others do not.	P Venter	Yes, we have requested that the CCT provide us with a clear statement reflecting their opinion. There were previously eleven municipalities, each with different departments, and different views. One decision is necessary.

M Dittke	Would this decision apply to the entire road or just to the Zeekoevlei area?	P Venter	The entire proposed route.
ISSUE: Sector 1			
M Dittke	Much of the focus is on Zeekoevlei.	P Venter	By putting the Sector 1 link into the model, one can see that it would attract 20 000 vehicles/day. If one then includes the Cape Flats Freeway, the Sector 1 link still attracts that many vehicles. This reflects a need for this link.
		S Chand	In other words, the one link does not substitute for the other.
M Dittke	One needs the facts and figures, though.	P Venter	There is the draft document completed for comment internally, which was done by Jeffares and Green for the Transport Department of CCT. It contains traffic figures from the EMME2 model. Perhaps you could contact John Marthese for this. We would be happy to provide you with the contact details for the traffic engineers.
ISSUE: Specialist Reports and Review			
M Dittke	When will the specialists' reports be available for public review?	S Chand	During the middle of October, when we expect the draft Environmental Impact Report (EIR) to be completed, and this is also when it would go out for public review.
M Dittke	One month is not really a sufficient period for public review of this EIR.	S Chand	The accepted period is 21 days.
		P Venter	The CCT themselves want 90 days to comment but we will have to go back to SANRAL on this, as the timing of the declaration of the toll road and Scheme Development status is also relevant here.

M Dittke	If people are unhappy about the time allocated for review, it would have to be taken up with the Department of Economic Affairs and Tourism (DEAT). What about the fact that many departments, such as the Environmental Management Division and Catchment Management have not been informed of this project? The joint consensus is that they have not been kept up to date.	S Chand	We will not pretend that this is a perfect public participation process. A huge effort has been made to inform as many people as possible. We have done more than what legislation requires. At a recent meeting held with the CCT, this was acknowledged. People do slip through the system. It is, however, fair to anticipate that if we inform one department within the CCT, this information would be passed on to other relevant departments.
M Dittke	There is a general consensus, depending on which way the EIA swings, to eventually take legal steps regarding the environmental process.	P Venter	Before the Unicity was developed, we approached every municipality, which meant meeting with their transport engineers and environmental departments. Contact was made. Whether or not city officials attended meetings is another matter. It has been the responsibility of the civic and ratepayer's associations that we have met with in focus group meetings, to report back to their constituents with the disseminated information. Note also that the alignment of the road across the pond has not changed. No new information, up until now, has been available as the survey and specialist information has only become available now. This new information is about to be shown at the upcoming Open Houses.
		S Chand	Please tell us if we have blatantly missed out on someone, and we would be happy to rectify the situation.

M Dittke	It is too late for that.	S Chand	It is not, as we are still collecting comments and issues raised by I&APs.
ISSUE: Integration of Specialists' Reports			
M Dittke	Who is your socio-economic specialist?	S Chand	We have one economic specialist, Barry Standish from UCT, and one social specialist, Dr Shakti Malan.
M Dittke	My concern is that it is all very well to appoint all these specialists, but they could not have been focusing on the broader picture.	S Chand	This is a good point. On the 12 June 2002, we organised a Specialists' Workshop. All the engineers, the commissioned specialists and the client attended. The aim of this workshop was to understand what each had said in their reports, to integrate, compromise and co-ordinate issues. The specialists also received copies of every draft report.
		P Venter	I must add that out of this more mini-workshops have and are still to be held between specific specialists and the engineers.
M Dittke	This is a vital point. One mustn't lose sight of the bigger picture. Desktop studies are not adequate.	S Chand	Note that desktop studies were done during the Scoping Phase. These were initial studies, the purpose of which are to attain a preliminary understanding of what issues would arise during the Impact Assessment Phase.
ISSUE: Tolling			
M Dittke	What about the issue of tolling?	S Chand	It has been decided that this issue is not to be addressed by the environmental legislation that exists. The National Minister of Transport is the one who is going to consider this. We will record the issues of tolling, but it is not something that DECAS or DEAT are going to consider.
		P Venter	The National Roads and National Roads Agency Act (No. 7 of 1998) requires this.

M Dittke	My concern in terms of tolling is not only a financial impact on users. Those who choose to avoid this road would use other routes and this may create additional environmental impacts.	S Chand	It would be difficult to discover which roads these would be and what impacts additional traffic in those areas would have. Have you heard if and how this has been done?
M Dittke	Is there not some model?	P Venter	Being in an urban centre, there are hundreds of alternative routes within the entire network. This level of investigation is not feasible for this project.
M Dittke	The CCT is drawing up a position paper on tolling. How is this going to affect your plans?	P Venter	The Minister of Transport must take into account the CCT's opinion on this scheme. Note that the toll road issue is a continuous issue of debate.
ISSUE: General			
M Dittke	The False Bay Ecology Park has to be considered.	S Chand	Noted, we do not, as yet, know how this would impact on the plans for the park.
M Dittke	What is the formal purpose of the Open Houses?	S Chand	There are to be displays of posters, so that people can understand the Public Participation Process to date, who the specialists are, where the sensitive areas are and so on. A synopsis of the specialists' draft conclusions will also be available. One will be able to see where the alignment lies now, as a result of recent survey data and specialist input. People will also be able to add their comments to the final Environmental Impact Report.

3. Conclusions

S Chand thanked M Dittke for attending and closed the meeting at 17h00.