



THE PROPOSED N21 (R300) CAPE TOWN RING ROAD TOLL PROJECT

ENVIRONMENTAL IMPACT ASSESSMENT

BACKGROUND INFORMATION DOCUMENT #2

BACKGROUND

The South African National Roads Agency Limited (SANRAL) awarded Scheme Developer status to the Peninsula Expressway Consortium (Penway) in January 2000 to develop Penway's unsolicited proposal for the N21 (R300) Cape Town Ring Road Toll Project. The proposal included the private financing of the project, construction of new sections, upgrade of the existing road and maintenance, operations and tolling of the entire route.

Penway and SANRAL have entered into a Public Private sector Partnership to develop this scheme and concluded a formal agreement in January 2000. In terms of the agreement, both parties are jointly responsible for the transparent development of the scheme. The Initial Phase of Scheme Development was completed in December 2001 and included a Scoping Study, undertaken by Chand/Ecosense Joint Venture (CEJV), from February to November 2000.

The Scoping Study was undertaken in accordance with the requirements of the Environmental Impact Assessment (EIA) Regulations (R1183 of 5 September 1997), promulgated in terms of the Environmental Conservation Act (No. 73 of 1989), and the National Environmental Management Act (No. 107 of 1998).

After due consideration that the project was feasible, SANRAL in July 2001 approved that Penway could proceed with the Final Phase of Scheme Development. A further agreement was signed between SANRAL and Penway during December 2001 that determines the process to be followed from hereon. During

the Final Phase of Scheme Development, SANRAL and Penway shall:

- Undertake the Impact Assessment Phase of the EIA;
- Do the necessary topographical surveys and materials investigations to undertake preliminary engineering designs;
- Complete the engineering designs to enable SANRAL to proclaim the road and acquire land for road reserve purposes; and
- Compile tender documentation.

The Successful Tenderer would be required to complete the construction of the entire scheme within a period of about three years. Table 1 provides a description of the proposed construction work to be undertaken during Initial Construction.

DESCRIPTION OF THE ROUTE

Initially the proposal was to start the concession route at the Westlake Interchange near Muizenberg and then follow previously planned routes such as the Coastal Freeway, the existing R300 from Vanguard Drive to Stellenberg Interchange on the N1 and then the proclaimed Trunk Route 11/1 through to Melkbosstrand via the existing provincial road (MR43). During the Scoping Study a number of alternative alignments were investigated at the request of the local authorities. After due consideration SANRAL and Penway agreed to incorporate the alternatives into the scheme. The route now ends near Big Bay in Bloubergstrand and follows the alignment of the proposed East-West Arterial as planned by the then Blaauwberg Municipality. It was

further agreed to include the extension of the existing R300 from Vanguard Drive across the Philippi Horticultural Area to Prince George Drive in the scheme. The then Cape Metropolitan Council planned the route for many years including a comprehensive EIA and Public Participation Process. A number of toll plazas are proposed on the route. The proposed tolling system includes a combination of ramp and mainline toll plazas and takes into account the urban nature of the road. Penway and SANRAL have attempted to devise an equitable tolling strategy based on the user pays principle, i.e. each user pays for the section of road that he/she uses without subsidizing any other user or road section. Tolls would be collected through manual and state of the art electronic toll collection systems to handle the high volumes of traffic that would use the road on a daily basis. See Figure 1 for details of the route and toll plaza positions.

RESULTS OF SCOPING

The Scoping exercise entailed initial specialist investigation on both the biophysical and social environment, and a public participation process. The Final Scoping Report that was submitted and approved by the authorities in 2001 recommended the following:

- That further specialist investigation be commissioned on:
 - Vegetation
 - Birds, and Butterflies
 - Reptiles and amphibians
 - Wetlands and rivers
 - Geohydrology
 - Planning
 - Visual
 - Archaeology
- That the public participation process continues through the impact assessment phase.
- More detailed investigation on the traffic will also be undertaken by the traffic consultants to Penway.

THE IMPACT ASSESSMENT PHASE

Based on the findings of the Scoping phase, a Plan of Study for an Environmental Impact

Assessment (EIA) was submitted to the environmental authorities during May 2001. After reviewing the content, a letter approving the Plan of Study for EIA was received on 4 July 2001.

The Impact Assessment phase will entail a further public participation process, and detailed specialist investigation.

Public Participation Process (PPP)

During the scoping phase, approximately 2000 I&APs registered on the database. Communication during the EIA phase will be with these I&APs on the database, and any additional ones that register throughout the process.

The proposed methodology for the PPP is as follows:

- Distributing this Background Information Document (#2), updating I&APs on the process;
- Conducting a "Knock 'n Drop" to homes adjacent to the proposed road;
- Placing a notification of the EIA process in the local media;
- Conducting 6 focus group meetings in March and April 2002;
- Hosting 5 Open Houses in June 2002;
- Circulating the draft EIR for public review in August 2002, and
- Hosting 4 Open Houses in August 2002 to aid the review process.

Adverts will be placed in the major newspapers to inform the public of the dates of the Open Houses.

Specialist Investigation

Based on the findings of the scoping phase, the following specialists have been identified:

Freshwater Ecology

Bill Harding
Southern Water Ecological Research and Consulting cc

Geohydrology

Roger Parsons
Parsons and Associates

Avifauna, Mammals and Entomology

Dave Pepler
Horus Wildlife Consultants
Kobus Jooste
Horus Wildlife Consultants
Dr H Geertsema
Independent Consultant

Botany

Nick Helme
Doug Jeffrey and Associates
Doug Jeffrey
Doug Jeffrey and Associates

Herpetology

Atherton de Villiers
Independent Consultant

Noise

Demos Dracoulides
DMA

Archaeology

Jonathan Kaplan
Agency for Cultural Resource Management

Planning

Jonathan Holtmann
Jonathan Holtmann and Associates

Visual

Johan van Papendorp
OvP Associates

Independent Review

Sue Lane
Sue Lane and Associates

Broadly, specialists have been asked to:

- Confirm and further investigate the issues raised through the Scoping process.
- Recommend mitigation measures to alleviate negative impacts.
- Using specified evaluation criteria determine the significance of the impact before and after mitigation.
- Provide guidelines for construction and operational phases of the development.

Each specialists terms of reference will be adjusted to suit their area of study.

Refer to Figure 2 for a diagrammatic representation of the Impact Assessment.

THE UNSOLICITED BID PROCESS

If the proposed project is authorised in terms of the EIA Regulations, the following steps will be undertaken:

- Preparation of tender documentation;
- Tender process;
- Declaration of a toll road; and
- Financial closure.

Preparation of tender documentation

The preparation of tender documentation would conclude the Final Phase of Scheme Development. It is anticipated that the Final Phase of Scheme Development could end by the fourth quarter of 2002.

Tender process

On successful completion of Scheme Development, and if a positive Record of Decision is to be obtained from DEAT/DECAS, SANRAL will call for tenders for the Concession Contract. Various consortia may then tender for the right to design, construct, operate, maintain and finance the project.

Penway will have to tender for the work along with other consortia. The selection of the Selected Tenders will be based on the tenders that offer the best proposals within the following categories:

- Competence and Capacity of the Tenderer
- Traffic and Toll Strategy
- Environmental Requirements
- Socio-Economic Requirements and Training
- Engineering
- Financial
- Legal

SANRAL will evaluate the Selected Tenderers' best and final offers and select a Preferred

Tenderer. Upon selection, the Preferred Tenderer is required to enter into the Concession Contract, raise the necessary finance to achieve financial closure and implement the project.

during the tender process, during which the road will be further upgraded, maintained and operated.

Declaration of a Toll Road

The national Minister of Transport must declare the road a toll road before the project can commence. In terms of the South African National Roads Agency Limited and National Roads Act (No 7 of 1998), the Minister will not declare a road a toll road until SANRAL has, in writing, requested the Premier of the Province and municipalities through whose jurisdiction the road passes, to comment on the proposal. In each instance the parties are allowed a minimum of 60 days in which to comment. I&APs will have to furnish their written comments and representations (e.g. on tolling issues) within 30 days of such declaration. The Minister may declare intent to toll in parallel with the Impact Assessment Phase.

PUBLIC PARTICIPATION PROCESS

Should you wish to comment on the project, please direct your queries to:

Chand Ecosense JV
P O Box 6997
Roggebaai
8012

Tel and Fax: (021) 418-4212
E-Mail: emily@chand.co.za

Process leading to financial closure

Prior to financial closure the following will be completed:

- Final setting of toll tariffs; and
- All resolute conditions pertaining to the Concession Contract, including finalisation of an Environmental Management Plan (EMP).

The EMP would set out the actions, responsibilities, resources and schedules of the mitigation measures prescribed in the Final EIR. A draft of this Plan will form part of the requirements and specifications for the tender. The EMP shall also include monitoring and evaluation methods to measure the degree of success of mitigation measures and amend the EMP to improve performance, as appropriate.

The Concession Contract would be for a 30-year period and would comprise the following:

- An Initial Construction Period of approximately three years; and
- A further 27-year period, or such a period that may be offered or negotiated