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# FRIENDS OF STELLENBOSCH MOUNTAIN



Public Benefit Organisation No. 930049434

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The Friends of Stellenbosch Mountain (FSM) have been active in Stellenbosch since 2008. FSM is a member of the WESSA affiliate network and a SARS-accredited Public Benefit Organisation.

## Stellenbosch MSDF Public Participation Process

16 November 2017

### Questions to **iCE Group** on the Western Bypass and related documents

Could you and your associates kindly respond to the questions listed below **in writing** as undertaken at the MSDF public participation meeting of 16 November 2017. Thank you. These questions are not exhaustive as there was not enough time to digest all the documentation, so more questions may be asked in future.

## 1 Western Bypass, Eastern Link Road, R44

### 1.1. Eastern Link Road

- 1.1.1 According to the letter of 23 April 2017, the so-called Eastern Bypass was proclaimed a provincial main road. In terms of which legislation was this done?
- 1.1.2 On which date was it proclaimed and by Whom?
- 1.1.3 Is the *Eastern Link Road* mentioned in the letter of 23 April 2017 the same as the above-mentioned provincial proclaimed main road? If not, what other route is being considered? Have any feasibility studies been carried out on this in the last ten years?
- 1.1.4 Could iCE and the Department of Planning please comment on the statement made in the iCE letter of 30 May 2017 to the Department of Planning which reads *With the future Eastern Link Road (from the R44/Techno Avenue-intersection through Blaauwklippen, Paradyskloof and Brandwacht to town) it can be expected that the Techno Park Link Road will attract considerably more traffic when the bypass road is in place.* In this statement, the Eastern link road is stated as a fact. Have there been any discussions, feasibility studies, meetings being conducted or held with this topic during the last two years?
- 1.1.5 Could iCE and/or the Department of Planning please provide a full-size electronic copy of the *Additional Development Contributions of Civil Engineering Services for Greater*

*Stellenbosch (WC024) – Future Road Infrastructure Stellenbosch* as authored by iCE and appears in small format in the Agenda for the Council Meeting of 2017–05–31?

1.1.6 Specifically, which juristic entity or person is to provide said Additional Development Contributions, and in what amounts?

1.1.7 Could iCE and the Department of Planning please comment on specifically those routes marked “8” and “66” on the *Additional Contributions* as appears in the Agenda for the Council Meeting of 2017–05–31?

## 1.2. Western Bypass

### 1.2.1 Original idea

In which specific document was the *idea of a Western Bypass* as mentioned in the iCE letter of 23 April 2017 first mentioned in the form in which it appears now? Could you please provide details (date, author, status)?

### 1.2.2 IDP/MSDF principles

The same iCE letter does not mention the MSDF or IDP or for that matter any planning legislation. Motivations and considerations relate only to technical issues of engineering, location, alignment etc of the road.

- a. Which specific principle(s) and goal(s) of the IDP and MSDF will the construction of the Western Bypass fulfil?
- b. Which specific principle(s) and goal(s) of the IDP and MSDF will the construction of the Western Bypass **not** fulfil, i.e. override?
- c. In what way does the construction of a western or eastern link road benefit the poor who do not own or use private motor vehicles? See also “Costs” below.
- d. The 2014 Royal Haskoning report proposes an alternative road to alleviate traffic congestion; this road to run on the edge of Papegaaiberg from Adam Tas to Kayamandi. Has there been any open and quantitative comparison of this road compared to the much larger Western Bypass and Eastern Link Road? If not, why not?
- e. In omitting to take the STOD principle and implementation into account in its studies, modelling and report, is iCE not pre-empting a viable alternative to the Western Bypass?

### 1.2.3 Traffic Modelling

- a. Only three modelling scenarios are set out in the iCE 23 April letter, viz. current plus two additional-development based scenarios. Why does iCE not model a scenario in which the principles of the IDP and MSDF of STOD are properly taken into account and implemented?
- b. There was public disagreement between iCE and consultant Simon Nicks at the PPP town hall meeting of 8 November 2017.
  - i. What is the exact factual basis of this disagreement?
  - ii. Why do the new modelling results as per the letter of 30 May 2017 differ substantially from earlier modelling results? Which assumptions or parameters were adjusted?
  - iii. Could the differences originate in the use of different definitions of through-town road users? iCE appears to want to define trips originating in the eastern/northern suburbs to Somerset West as “through traffic”. This conveniently increases the proportion. What data or studies exist to claim that such traffic would take the wide detour via a future Western Bypass?

#### 1.2.4 Initial costs

- a. Over what timeframe (if at all) will construction of Phase 1 and Phase 2 be carried out respectively?
- b. Could iCE and the Department of Planning please comment on specifically the routes marked “31” and “37” on the abovementioned *Additional Development Contributions* as appears in the Agenda for the Council Meeting of 2017–05–31?
- c. Specifically, which juristic entity or person is to provide said Additional Development Contributions, and in what amounts?
- d. It has been variously claimed, also by iCE at the 8 November meeting, that the cost of the Western Bypass would be R800million. Which of the following expenses is included in the stated amount of R800million:
  - i. Phase 1 R44–Technopark–R310 (Adam Tas): cost of land for road reserve
  - ii. Phase 1 R44–Technopark–R310 (Adam Tas): cost of construction
  - iii. Phase 2 Annandale Rd–R310–Welgevonden Rd: cost of land for road reserve
  - iv. Phase 2 Annandale Rd–R310–Welgevonden Rd: cost of construction
  - v. Does Phase 2 include the widening from a two-lane to a four-lane carriageway? If not, is the construction cost included in the R800m estimate?
- e. If the quoted R800m does **not** cover each and every of the abovementioned items, could you please provide estimates for the additional costs (where appropriate) for:
  - i. Phase 1 R44–Technopark–R310 (Adam Tas): cost of land for road reserve
  - ii. Phase 1 R44–Technopark–R310 (Adam Tas): cost of construction
  - iii. Phase 2 Annandale Rd–R310–Welgevonden Rd: cost of land for road reserve
  - iv. Phase 2 Annandale Rd–R310–Welgevonden Rd: cost of construction
  - v. Widening from a two-lane to a four-lane carriageway? If not, is the construction cost included in the R800m estimate?
- f. iCE has authored and determined Development Charges as appear from the *Development Charges Policy* of the Municipality as appears in the Council agenda of 2012–05–31. Who exactly will be the *Applicant*, as defined in the policy, for the relevant road infrastructure?
- g. Who will be carrying the cost of each of the items listed above? Specifically:
  - i. How much will the Technopark and/or any of its tenants or owners be contributing?
  - ii. How much will any of the present landowners be contributing?
  - iii. How much will come from the coffers of the provincial administration?
  - iv. How much will come from the WC24 municipal budget?
  - v. How much will come from any source(s) not mentioned so far?

#### 1.2.5 Maintenance costs

Which juristic person (Western Cape provincial government, Municipality of Stellenbosch, other) will be responsible for the maintenance costs once construction has been completed?

#### 1.2.6 Public Participation

According to the iCE letter of 23 April 2017, a number of meetings were held with *most of the affected property owners* and attendance registers and meeting notes were kept.

- a. Could you please supply a copy of said attendance register(s) and meeting notes.
- b. In which way were these meetings “public” as defined in the usual sense of the word? For example, where, when and in which medium were these meetings advertised?

- c. Did any one or more of the *affected property owners* or meeting attendants express opposition to the Western Bypass plans? Which owners or attendants?
- d. Did any one or more of the *affected property owners* or attendants express support of the Western Bypass plans? Which?
- e. Did any one or more of the *affected property owners* offer to contribute financially to the planning, construction and/or maintenance of any parts of the Western Bypass, and if so, in which Rand amounts?

#### 1.2.7 Process

- a. When will the EIA Process commence?
- b. Which EAP will conduct this process?
- c. Who will pay for the EIA and EAP?

#### 1.2.8 Project team

- a. We note that Mr Malcolm Watters of PGWC is on the Western Bypass Project Management Team. Mr Watters is well known as the main proponent of the R44 upgrades. Has anyone **opposed** to the Western Bypass project been included in the project team? If not, in what way will the findings of the PMT be claimed to be impartial?

1.2.9 In the 23 April 2017 letter, iCE writes *The implementation of a western bypass to Stellenbosch is not seen as the ultimate solution to the traffic congestion in Stellenbosch*. If not, what other plans are being made to provide the “ultimate solution”?

## 2 Disclosure of interests

To prevent any impropriety, it is imperative that all councillors, municipal officials and consultants disclose any and all interests.

- 2.1. iCE owns property in Technopark. iCE has been appointed as consultant for the Western Bypass. The proposed Western Bypass will directly benefit Technopark land owners. Could you please comment.
- 2.2. Does iCE or its associates stand to benefit financially from any construction or operational aspects of the proposed bypass roads?
- 2.3. iCE has authored and determined Development Charges as appear from the *Development Charges Policy* of the Municipality. Who exactly will be the *Applicant*, as defined in the policy, for the relevant road infrastructure?