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 15 March 2018

BASIC ASSESSMENT FOR THE PROPOSED IRT PHASE 2A TRUNK ROUTE: PORTION E1, 3.5KM OF GOVAN MBEKI ROAD, MANENBERG & GUGULETHU: FOCUS GROUP MEETING WITH LOCAL COUNCILLORS, SUB-COUNCIL 11
PRE-APPLICATION REFERENCE NUMBER: 16/3/3/6/7/1/A2/19/3028/18
MINUTES- FINAL

MEETING DATE: 16 February 2018
VENUE: Sub-Council Office, Fezeka Building, Cnr NY1 and Lansdowne Road Gugulethu
TIME: 10h00 – 11h30
ARRANGED BY: Chand
CHAIR/FACILITATOR: Ms. Sadia Chand

1. ATTENDEES

FULL NAME	INITIAL	ORGANISATION
Cllr. Ntombikayise Nombakuse	NN	Sub-council 11 and 14 (Acting Sub-council Manager)
Cllr. Antonio van der Rheede	AV	Sub-council 11 Ward 47
Mr. Ivan Anthony	IA	Manager Presidential Urban Renewal Programme
Cllr. Aslam Cassiem	AC	Sub-council 11 Ward 46
Mr. Eugenio Mazzarella	EM	GIBB (Pty) Ltd (Project Manager)
Ms. Sadia Chand	SC	Chand Environmental Consultants (Facilitator)
Ms. Marielle Penwarden	MP	Chand Environmental Consultants (Environmental Assessment Practitioner)

2. APOLOGIES

FULL NAME	INITIAL	ORGANISATION
Cllr. Elton Jansen	EJ	Sub-council 23 Ward 43

3. AGENDA

- Welcome and Introduction
- Project Description
- Status of the Basic Assessment process
- Specialist Findings
- Councillors Expectations Regarding the Process
- Questions and Answers
 - a) Are there any potential issues which you can identify that the local community would want to know more about?
 - b) Are there any other stakeholders within the local community who should be contacted?
 - c) Would the Councillors be willing to serve as a conduit of information for this Basic Assessment process?
 - d) Are there any suggestions from the Councillors regarding particular methods which may be employed for the stakeholder engagement aspect of the Basic Assessment process?
 - e) Additional questions...
- Other
- Close

4. DISCUSSION

4.1. Welcome and Introduction

- a) SC welcomed all attendees to the meeting, thanking them for their time.
- b) SC began by asserting that the intention of this meeting is to present the proposal and to hear what the councillors have to say about it, as well as what comments they believe would come from their communities. She also requested that the councillors think about whether there are any particular community leaders who should be engaged as the project team is weary of offending anyone.
- c) IA queried who the primary consultant is and EM confirmed that it is GIBB (Pty) Ltd.
- d) NN advised that the project owners at the City of Cape Town Transport and Urban Development Authority (TDA) should be present at meetings with City and community representatives (such as this one) and that they should introduce the consultants.

4.2. Project Description

Refer to the attached presentation (presented by MP).

- a) MP emphasised that the proposed development footprint for the preferred alternative is for the largest footprint possible, however during detailed design the footprint may be reduced in certain sections of the route in response to design requirements or constraints on the ground.
Post-meeting note: The footprint is, however, unlikely to be reduced from that applied for in the section adjacent to the Edith Stephens Wetland Park.

4.3. Status of the Basic Assessment process

Refer to the attached presentation (presented by MP).

- a) MP highlighted that it is important to obtain feedback from key stakeholders such that any significant issues may be addressed prior to the publication of the post-application draft Basic Assessment Report (BAR) for the statutory 30-day public comment period.
- b) AV expressed concern that only a Basic Assessment process is being undertaken and not a full Scoping and Environmental Impact Assessment (S&EIA). MP responded that the process underway is related to the triggers in the EIA Regulations under the National Environmental Management Act (No. 107 of 1998), as amended (NEMA). She added that the infilling of certain portions of wetlands as well as the widening of a road more than 4m into areas zoned as Public Open Space are the primary triggers, while the clearing of more than 300 square metres of indigenous vegetation may be triggered, given the length of the route and sporadic occurrence of indigenous vegetation throughout the proposed footprint.
- c) AV reiterated that the number of environmental issues related to the proposal and proposed route should warrant a full S&EIA. He included examples of such issues as the impacts on the Lotus Canal, local heritage, the Edith Stephens Wetland Park, and the removal of the roadside trees.
- d) IA commented that although the Basic Assessment process may have limited triggers, the community organisations may come up with a challenge in that they may require a more detailed process. He cautioned that this could pose a risk to the process in terms of time and cost.
- e) IA stated that when Chand engages the community, they should provide the full package of information. He continued by asking whether an S&EIA had been carried out for the western component and SC indicated that there are two separate teams, this team (i.e. GIBB and Chand) strictly dealing with the east and another team (i.e. SMEC and Environmental Partnership) dealing with the west. SC reiterated that Chand does not have the latest information on the processes applicable to the western portion. **Post-meeting note:** Environmental Partnership have confirmed that two Basic Assessment processes have been undertaken for particular sections of the route at Jan Smuts Drive and Govan Mbeki Road respectively and that an EIA Applicability Checklist has been submitted for another specific segment along Racecourse Drive (*pers comms, Mr. Luzuko Sidondi, 21 February 2018*).
- f) SC assured attendees that, with respect to the eastern component, Chand has engaged the competent authority (i.e. the Department of Environmental Affairs and Development Planning-DEA&DP) who have confirmed their agreement with the current approach. She added that, with regard to the heritage findings, the team is presenting the comment of HWC, but that the input from this meeting would also be considered.

- g) AV concluded that he understands the approach, but would still prefer to have an S&EIA process.
- h) IA acknowledged that dealing with broader issues is challenging within the mandate of the consultants and stating that a broader scope would have been preferable. SC responded by asserting that there are two main reasons for approaching the councillors and (later) the community:
 - a. Firstly, to identify key community organisations who could provide the team with useful information, some of which may shift the scope of the assessment; and
 - b. Secondly, to consider any new information which may come to light. She explained that, should the new information pertain to any additional legislated triggers, then the scope of assessment would also be broadened and such triggers would be included in the assessment.
- i) SC also assured attendees that once Environmental Authorisation is granted (if the DEA&DP deem it appropriate to do so), it is legally binding upon the Applicant and no changes to the footprint would be permitted without reverting to the community and undertaking due process.

4.4. Specialist Findings

Refer to the attached presentation (presented by MP).

- a) MP did not raise anything in addition to that included in the presentation under this item.
- b) AV stated that further assessment with regard to the heritage status of the area and the impacts on heritage should be conducted. MP agreed and committed to investigating the matter further.

4.5. Councillors Expectations Regarding the Process

Discussion facilitated by SC.

4.5.1. Local Heritage Considerations

- a) AV expressed concern regarding the findings of Heritage Western Cape (HWC) which indicated that no further Heritage Impact Assessment (HIA) would be necessary, adding that significant heritage resources certainly do exist along the proposed route. He also declared that the HWC database of heritage resources often does not recognise the heritage of communities such as theirs, is outdated and that this poses a regular challenge for the affected communities.
- b) AV added that the same principal of protection of heritage resources which is applied in the western area should also be applied to the east (i.e. whereby heritage structures and cultural fabric are deliberately protected and celebrated) and that the eastern communities should benefit from the proposal (*refer to further discussion regarding the benefits to the communities in section 4.5.4*).
- c) NN gave examples of some of the important heritage structures along the proposed route:
 - a. The Fezeka Building- NN stated the Fezeka Building is very old and that it has a rich history. She noted that it was previously a hospital and that indeed her office was the mortuary;
 - b. Lutheran Church- NN explained that the Lutheran Church on Vanguard Drive is also an old building which formed a cornerstone of the community and is deserving of celebration.
- d) NN advised that the communities be provided with a lot of information on the proposal and that they are involved in the process. She suggested that specific community groups and members who are knowledgeable on heritage matters be engaged and that the specialist re-evaluates the heritage findings.
- e) MP confirmed that the proposed route would not touch the Fezeka Building. IA stated that it should be made clear that the heritage buildings would not be touched and MP confirmed that this would be clarified in the Basic Assessment Report.
- f) IA requested a copy of the heritage assessment (i.e. the Notification of Intent to Develop-NID) and the HWC responding letter and MP committed to providing the attendees with the requested documentation.

4.5.2. Removal of Pavement Trees

- a) AV advised that obtaining permission for the removal of roadside trees would be tricky.

- b) NN added that the City of Cape Town Parks department should be engaged in this regard. MP agreed and stated that, as far as she is aware, a permit (from City Parks) would be required for their removal and that this would be included as a condition of the Environmental Authorisation.
- Post-meeting note:** Chand has made numerous attempts to contact City Parks to obtain the necessary documentation for the appropriate permit and feedback is currently awaited. Note that telephonic confirmation of the need for a permit has been provided by City Parks (*pers comms Ms. Carien Stegmann, 06 February 2018*).

4.5.3. Treatment of the Lotus Canal

- a) IA suggested that there is an opportunity to incorporate the Lotus Canal into the IRT route proposing that it could even serve as a recreational facility, thereby improving on the overall experience of the environment. He added that the Lotus Canal should also be protected and that an EIA had been conducted for the Lotus Canal which he would provide to Chand.

4.5.4. Benefits for the Local Community

- a) IA advised that it is critical to garner the support of the community because they could delay the entire project if they do not like the proposal. He, therefore, expressed willingness on the part of the sub-council to work together with the project team and community in support of a widely accepted proposal.
- b) IA also highlighted that the community would like to see the heritage sites acknowledged and celebrated.
- c) IA then advocated that community spaces be restored.
- d) IA articulated that the crux of the issue is that there are certain assets which have existed in the area for many years and that not only it is important to understand how the proposal would infringe upon them, but it is also key to utilise this process to remove aspects/ infrastructure that the community dislikes as well as to redress social infrastructure and the urban layout.
- e) IA concluded that it would serve the proposal if it was accompanied by the protection of the natural environment, as well as enhancement of the Lotus Canal and public spaces to create a pleasing and useful physical space for the community.
- f) AV agreed that the eastern communities should benefit from the proposal adding that the Edith Stephens Wetland Park should be protected, the route should look nice, local heritage should be protected and celebrated, the local area should be enhanced and that labour should accrue to the locals.
- g) AV cautioned that it is a very politically charged area.
- h) SC acknowledged that there is a political history to the area which is fuelling the suggestions and confirmed that the team would accommodate them within the mandate of their appointment and the scope of this Basic Assessment process. She added that the Basic Assessment process forms part of a bigger picture and that it could be used to address certain operational aspects of the project as well.
- i) AV emphasised that the community would not want big security companies being appointed, but rather that the local neighbourhood watches should be involved in the security along the route.
- j) IA summarised that the main concern of the councillors is that the EIA processes in general should aim to achieve a balance between the natural, social and built environment and that the needs and desires of the affected communities should be considered. He concluded that the balance does not exist at present.
- k) To reinforce the above, AV then pointed out that there is already a bus system in place (i.e. Golden Arrow Bus Services) and asserted that the proposal (and other such legacy projects) should enhance the affected communities. He added that the community would want to know how many jobs would be created in vocations such as security, cleaning and maintenance, as well as driving of the buses (e.g. suggesting the employment of taxi drivers as bus drivers).

4.5.5. Stakeholder Engagement

- a) SC recognised that it is agreed that the proposed IRT route in itself would be valuable to the community and that assistance from the council would be required in order to motivate it as such.
- b) SC implored the councillors to assist the project team in navigating the community issues while remaining mindful of the mandate of this project team and ambit of the Basic Assessment

process. She cautioned that adding other issues to the proposal may result in delays to the project which could potentially be negative for the community. SC finished by emphasising the importance of managing this aspect.

- c) SC expressed gratitude for the honest interaction occurring at this meeting and requested that the councillors assist the team in priming the communities in terms of what this team and proposal can undertake. NN responded by saying that the councillors would assist in managing the expectations of the communities, but that the approach to stakeholder engagement should be to tell the communities that the team will hear and note all their issues/ concerns. She added that the team should clarify that they would address the concerns and issues raised that are within their mandate and the scope of the proposal and Basic Assessment process and, with regard to the additional issues, the team would use the process to bring these to the attention of the City and recommend that they be attended to by the City of Cape Town outside of this Basic Assessment process. SC committed to undertaking this approach.
- d) IA advised that the Basic Assessment process should cover all the different components/issues raised in order to avoid conflict with the community. SC explained that it may not be possible to have various additions to the scope based on requests from the community and that it is important for councillors and the community to understand that.
- e) SC asked whether the councillors could suggest additional community leaders/ groups who could be engaged as part of this Basic Assessment process and they suggested that a Focus Group Meeting be set up with the Hanover Park and Manenberg Steering Committees, the Ward Committee, the local Business Forum as well as the local taxi association representatives. NN also committed to assisting in setting up such a meeting and advised that a black African team member be brought along to overcome potential language barriers through translation.
- f) NN recommended that, when meeting with the public or their key representatives is would be wise for a representative from TDA who could respond to queries regarding the project overall to join in. They would need to respond to queries regarding how the local communities would have access to the economic benefits of the proposal, what the community would be left with once the proposal is developed and how future investment would benefit the local people. She summarised that, in order to provide their support for the proposal, the community would want to know that principals of benefaction are in place.
- g) AV pointed out that there are smaller taxi businesses which would also be affected and should be considered. In response EM unveiled that a particular department within the City of Cape Town (i.e. the Industry Transition branch of TDA) has been established to address the needs and concerns of the small taxi businesses.

4.5.6. The Ecological Importance of the Edith Stephens Wetland Park

- a) AC expressed concern regarding the declassification of "Area A" identified by the botanist (*refer to slide 26 of the attached presentation*), stating that the protection of the Edith Stephens Wetland Park is of paramount importance. MP responded by clarifying that "Area A" does not form part of the Edith Stephens Wetland Park (which has been declared a nature reserve) and that it is highly transformed and has buildings on it. **Post-meeting note:** To add further clarity, it is important to note that the declassification of "Area A" is not linked to this proposal in any way, but rather to the ecological value of the site and its contribution to greater conservation efforts in the City of Cape Town.

4.6. Questions and Answers

The following questions and their respective responses were tabled at the meeting.

No.	Question	Answer
1	Are there any potential issues which you can identify that the local community would want to know more about?	<p>The key issues which would be important to the community can be summarised as follows:</p> <ul style="list-style-type: none"> • Recognition, protection and celebration of the local heritage and culture; • A thorough and transparent public engagement process where the entire community is afforded an opportunity to voice their concerns/issues; • Protection of the natural environment (particularly the Edith Stephens Wetland Park);

	<ul style="list-style-type: none"> • Enhancement of the local neighbourhoods; • Benefits to the local communities (including socio-economic benefits); and • The concept designs for the entire IRT route and information on aspects of the IRT project that fall beyond the mandate of the current Basic Assessment process.
2	<p>Are there any other stakeholders within the local community who should be contacted?</p> <p>The following stakeholders were highlighted as being important to the process:</p> <ul style="list-style-type: none"> • Hanover Park Steering Committee; • Manenberg Steering Committee; • Ward Committee; • The local Business Forum; and • Local taxi association representatives. <p>The possibility of including community groups with specific local heritage and cultural knowledge was also discussed and the details of these groups will be provided by IA following the review of the NID submitted to HWC and the HWC response thereto.</p>
3	<p>Would the Councillors be willing to serve as a conduit of information for this Basic Assessment process?</p> <p>It was agreed that the Councillors would be willing to assist with community engagement and dissemination of information, provided that they remain informed of the Basic Assessment process.</p>
4	<p>Are there any suggestions from the Councillors regarding particular methods which may be employed for the stakeholder engagement aspect of the Basic Assessment process?</p> <ul style="list-style-type: none"> • A meeting with key heritage authorities from the local communities should take place to provide more detail on the local culture and heritage; • A Focus Group Meeting with the following parties should be arranged (with the assistance of NN) to discuss the proposal and Basic Assessment process: <ul style="list-style-type: none"> ○ Hanover Park Steering Committee; ○ Manenberg Steering Committee; ○ Ward Committee; ○ The local Business Forum; and ○ Local taxi association representatives

4.7. Other

- IA queried the present status of the conceptual design and EM responded by saying that this project team cannot speak for the entire project, but only the eastern trunk component and that this particular segment applies only to the Basic Assessment undertaken in terms of NEMA and related triggered listed activities.
- IA followed by querying why the public participation for the conceptual design does not form part of this Basic Assessment process and EM explained that the process of closing that gap is still to come and does not fall within the mandate of this Basic Assessment Process, or the Environmental Assessment Practitioner (i.e. Chand Environmental Consultants). **Post-meeting note:** Refer to item 4.5.5 0 of this document for further suggestions from the councillors in this regard.
- IA noted that Councillor Elton Jansen was on the original list of invitees and MP explained that a certain portion of the route, across the road from Hanover Park, appeared to overlap with his ward, hence the invitation. IA recommended that Councillor Jansen be contacted separately in order to determine whether he and his ward are affected, highlighting that the ward in questions is also politically charged.

4.8. Close

- MP thanked all attendees for their time and input and closed the meeting at 11h30.

5. ACTIONS

A number of actions arose from the meeting. The details thereof are tabled below.

No.	Details	Responsible Party
1	Send attendees a copy of the presentation	MP
2	Send attendees a copy of the NID submitted to HWC as well as the letter from HWC	MP
3	Send contact details of appropriate community heritage liaison to MP, following review of the NID and HWC letter	IA
4	Send previous Environmental Impact Assessment on the Lotus Canal to MP	IA

General actions in terms of the additional assessment of the cultural and heritage aspects of the area, as well as the stakeholder engagement activities suggested would be carried out during the Basic Assessment process and would be informed by the legislative requirements as well as feedback received from stakeholders.