

HRA's DETAILED COMMENTS ON THE FINAL SCOPING REPORT

1. Non-compliance with Transport Legislation

Among other things, the National Land Transport Act, 2009 (No. 5 of 2009) and its Regulations (NLTA) provides for transport plans at all three spheres of Government, and as the Minister has not yet prescribed minimum requirements to be contained in these plans in terms of the NLTA, the minimum requirements prescribed in terms of the National Land Transport Transition Act, No 22 of 2000, apply to this Hermanus Bypass¹.

The diagrammatic representation below from the Regulations indicates the various statutory transport plans and their interrelationship with one another and especially with the municipal Integrated Development Plans (IDPs) for both district and local municipalities.

The inter-relationship between the plans is shown diagrammatically in **Figure 1**.

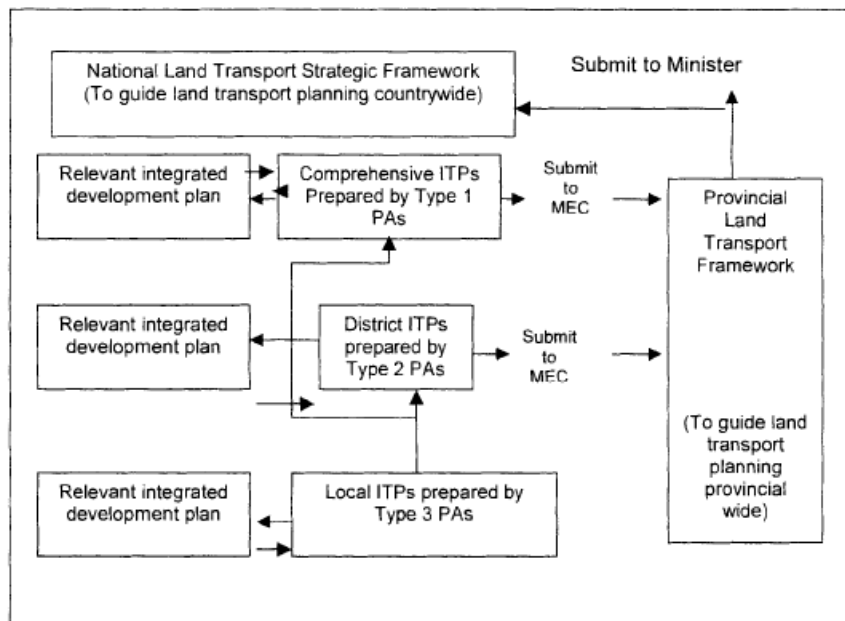


Figure 1: Inter-relationship between transport plans and frameworks

This legislation prescribes this interlinking and co-ordination of policies and projects across spheres of Government in the transport sector. This Bypass project completely contradicts this legislation. Not only is it out of alignment with Western Cape Provincial Land Transport Framework & Provincial Spatial Development Framework but it is also out of alignment with the Overberg integrated Transport Plan & Integrated Development Plan as well as the Overstrand Integrated Transport Plan & Integrated Development Plan.

¹ Government Gazette 30506 dated 30th November 2007

Each of these plans has been examined to check whether the Hermanus Bypass is an approved part of these plans and there is absolutely no evidence of this – despite the disingenuous attempts to prove otherwise viz.

- PAWC: Provincial Land Transport Framework (PLTF 2011/16) - No mention of Hermanus CBD Bypass but mention that in addition to the City of Cape Town, there are other areas that experience seasonal congestion problems, including *"the R43 incoming to Hermanus during peak tourist season"*. Main thrust is public transport, including *"Fully Integrated Public Transport Networks (IPTN) in the rural regions of the province"*
- PAWC: Provincial Spatial Development Framework – Main principles are Spatial Justice, Sustainability & Resilience, Spatial Efficiency, Accessibility and Quality & livability. To achieve this private vehicle travel is dampened and denser development with public transport is promoted. In particular, IPTN (BRT) is promoted – linking to the Overberg Mobility Strategy and Overberg Integrated Transport Plan.
- Overberg Municipality ITP (Update March 2013) - No mention of Hermanus CBD Bypass. Comprehensive needs assessment but limited mostly to public transport and Non-motorised Transport issues. Link to Overberg Mobility Strategy in terms of priority direction. Current ITP update in progress but draft has similar emphasis on IPTN (BRT).
- Overberg Municipality IDP (2015/16) - no mention of Hermanus CBD Bypass.
- Overstrand ITP (March 2013 Revision) - Needs assessment very generic, lists some problematic intersections along R43 and lists the Bypass as a provincial project.
- Overstrand IDP (2015/16) - Mention is made on p 40 that the current ITP will be reviewed in 2015/16 and also that Province is investigating a Bypass together with a brief description and that an EIA process has commenced.

2. Incorrect Statements that the Overstrand Municipality is in Support of the Bypass

In Final Scoping Report there are a number of disingenuous attempts to illustrate that the Overstrand Municipality supports the proposed bypass.

On p15 of the Final Scoping Report there is an unsuccessful attempt to illustrate that the proposed bypass is in alignment with the Overstrand IDP, where the bypass is simply listed in the IDP as a Provincial project. The Final Scoping Report states *"as such the construction of the Hermanus Bypass is deemed to be consistent with the Overstrand IDP"* and this does not represent the support of the Overstrand Municipality for the project.




On p29 of the Final Scoping Report the following statement is made, clearly to imply the investigation is being undertaken with the support of the Overstrand Municipality "Noting that the CBD Relief Road would not be suitable for proclamation as a provincial road, in 2008 the WC DTPW indicated that, with the support of Overstrand Municipality, they would pursue a new bypass route on the urban edge of the mountainside of Hermanus to serve regional traffic..."

On p30 of the Final Scoping Report the following statement is made which is intended to demonstrate that the Municipality supports the bypass "On 8 October 2008 the Overstrand Municipality initiated an investigation into the proclamation of a bypass along the mountainside of Hermanus. Work undertaken by the Overstrand Municipality culminated in an Initial Assessment Report dated May 2009 that supported the proposed 1970s bypass." A project initiated and promoted by officials does not equate to Municipal support.

The Executive Mayor has confirmed as recently as 15th December 2015 that the Municipality has never indicated its support for the bypass.

3. Incorrect assumption of no monetary value of Fernkloof Nature Reserve land

As can be seen from the extract below from Figure 3-48 on p79 of the Final Scoping Report, no monetary value has been allocated to the Fernkloof Nature Reserve land that would need to be used for the bypass.

<p>Alt 1A: Northern Alignment (Local connection west of Graveyard)</p> 	<table border="1"> <tbody> <tr><td>Roadworks</td><td>70 mill</td></tr> <tr><td>Structures</td><td>2 mill</td></tr> <tr><td>Electrical & Telkom</td><td>11 mill</td></tr> <tr><td>Water, Stormwater, Sewage</td><td>14 mill</td></tr> <tr><td>Land Acquisition/improvements</td><td>12 mill</td></tr> <tr><td>TOTAL ESTIMATE</td><td>109 mill</td></tr> </tbody> </table>	Roadworks	70 mill	Structures	2 mill	Electrical & Telkom	11 mill	Water, Stormwater, Sewage	14 mill	Land Acquisition/improvements	12 mill	TOTAL ESTIMATE	109 mill
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Water, Stormwater, Sewage	14 mill												
Land Acquisition/improvements	12 mill												
TOTAL ESTIMATE	109 mill												
<p>Alt 1B: Northern Alignment (Local connection east of Graveyard)</p> 	<table border="1"> <tbody> <tr><td>Roadworks</td><td>72 mill</td></tr> <tr><td>Structures</td><td>2 mill</td></tr> <tr><td>Electrical & Telkom</td><td>12 mill</td></tr> <tr><td>Water, Stormwater, Sewage</td><td>14 mill</td></tr> <tr><td>Land Acquisition/improvements</td><td>12 mill</td></tr> <tr><td>TOTAL ESTIMATE</td><td>112 mill</td></tr> </tbody> </table>	Roadworks	72 mill	Structures	2 mill	Electrical & Telkom	12 mill	Water, Stormwater, Sewage	14 mill	Land Acquisition/improvements	12 mill	TOTAL ESTIMATE	112 mill
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Land Acquisition/improvements	12 mill												
TOTAL ESTIMATE	112 mill												
<p>Alt 1C: Northern Alignment (Down Ferwood Dr)</p> 	<table border="1"> <tbody> <tr><td>Roadworks</td><td>75 mill</td></tr> <tr><td>Structures</td><td>0 mill</td></tr> <tr><td>Electrical & Telkom</td><td>14 mill</td></tr> <tr><td>Water, Stormwater, Sewage</td><td>15 mill</td></tr> <tr><td>Land Acquisition/improvements</td><td>12 mill</td></tr> <tr><td>TOTAL ESTIMATE</td><td>116 mill</td></tr> </tbody> </table>	Roadworks	75 mill	Structures	0 mill	Electrical & Telkom	14 mill	Water, Stormwater, Sewage	15 mill	Land Acquisition/improvements	12 mill	TOTAL ESTIMATE	116 mill
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4. The Screening of Alternatives is Qualitative & Biased

On p56 of the Final Scoping Study Report (Table 3-2) alternatives considered are tabulated together with reasons for screening out all but the Northern & Southern alignments. The reasons for screening out the alternative of upgrading the Relief Road are listed as being

- *"insufficient road reserve/width available*
- *Intersection spacing too close*
- *Direct accesses in conflict with demand for mobility*
- *High expropriation costs*
- *Does not sufficiently address predicted future congestion*
- *Does not align with Hermanus CBD Regeneration Framework"*

Just presenting a list (which itself contains inaccuracies) of some elements deemed to be insurmountable hurdles from the point of view of the promoters of the project cannot by any stretch of the imagination be accepted as sufficient justification for excluding an alternative.

The quantitative screening of transport alternatives (other than a full Benefit/Cost Analysis) should be undertaken using well-established scoring techniques such as a "Goals Achievement Matrix" which consider how well the alternatives score in achieving goals, objectives or criteria such as technical performance, operational performance, environmental performance, financial and economic performance, etc. (see simplified example below).

The advantage of techniques such a Goals Achievement Matrix is that the selection and weighting of the goals, objectives or criteria can be done by the project proponents as well as by affected and interested parties, thereby eliminating bias.

HERMANUS CBD BYPASS - GOALS ACHIEVEMENT MATRIX FOR SCREENING ALTERNATIVES										
Goals		Weight	Alternative 1 - Northern		Alternative 2 - Southern		Alternative 3 - CBD Relief Rd		Alternative n - Etc	
			score*	total	score*	total	score*	total	score*	total
1	Technical Performance	15	7	105	6	90	4	60		
2	Operational Performance	15	7	105	6	90	5	75		
4	Environmental Performance	30	2	60	4	120	7	210		
5	Trading Effect on CBD Business	20	4	80	4	80	7	140		
6	Cost	20	5	100	6	120	7	140		
TOTALS		100		450		500		625		0
* scores are between 1 and 10 therefore the maximum score = 1000										

5. Incorrect Interpretation of what Municipal Support for the De-proclamation of Main Road means

Municipal support for the de-proclamation of the existing CBD Main Road as a Provincial Road does not in any way preclude the substantial upgrading of the Relief Road, and its proclamation as the new Provincial Main Road (R43) through Hermanus. Furthermore this would in fact be perfectly in alignment with the CBD Regeneration Framework.

On p20 of the Final Scoping Report it is stated that *"The report also makes reference to the investigation by the Provincial Roads Engineer into a bypass road to assume the regional mobility function currently performed by Main Road, and the subsequently intended de-proclamation of the relevant section of Main Road to enable the Overstrand Municipality to adapt the road environment to fulfil the function of an activity corridor."*

On p59 of the Final Scoping Report, it also states that *"Increased emphasis placed on the accessibility function of the existing CBD Relief Road to the CBD in the Hermanus CBD Regeneration Framework. Upgrading/widening the CBD Relief Road to emphasise its mobility function would be in conflict with the Hermanus CBD Regeneration Framework. Upgrading the CBD Relief Road to a mobility route would also result in ongoing conflict between the needs to provide mobility, direct access, pedestrian and cyclist movement and safety and parking."*

This latter statement is factually incorrect as the CBD Regeneration Framework specifically supports the Relief Road as a "high order mobility route" – see the proposals extracted directly from the Framework – where the five priority areas proposed for upgrading are all within the collar of the Relief Road, namely; the Taxi Rank & Municipal Precinct; Swallow Park; Mitchell Square; Lemm's Corner and the Old Harbour precinct.

6. The Proposed Hermanus Bypass does not address the Highest Traffic Need on the R43 in Hermanus

In Appendix J (Executive Summary of Overstrand Transport Plan), the transport modelling, current traffic volumes as well as future traffic forecasts to the year 2015 are summarised. The forecasts are focussed mainly on the R44 and R43, the main Provincial roads in the Overstrand stretching from Pringle Bay to Pearly Beach.

On p6, it is stated that *"The following were the key findings of the modelling:*

- *Future developments along the Hermanus-Hawston corridor will generate significant commuter traffic, which will ultimately require the dualling the R43 from Hawston to Sandbaai.*

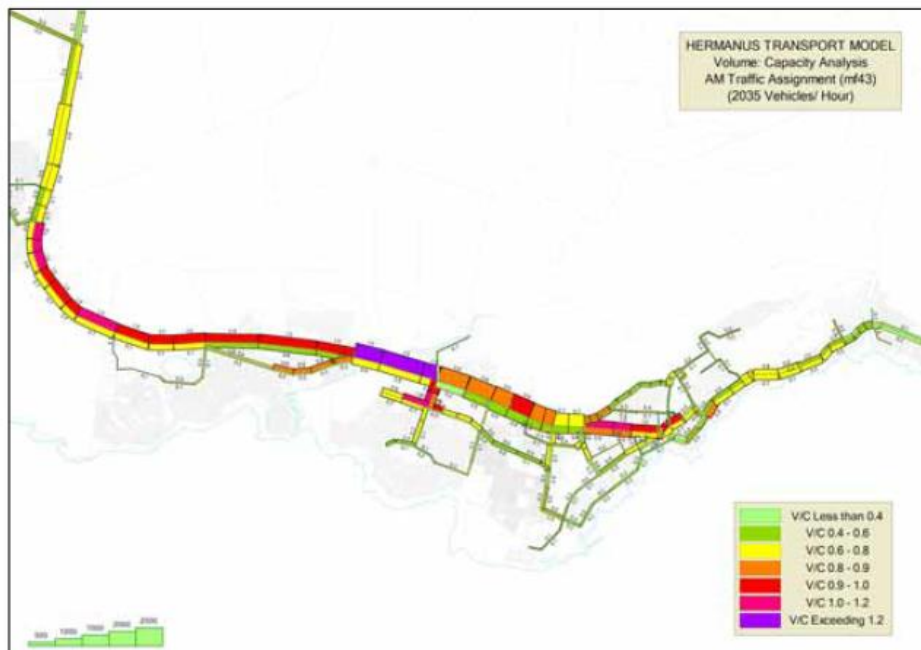


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- The proposed Class 4 parallel link road is vital for accommodating further development in Sandbaai, and will certainly relieve traffic conditions on R43 between Onrus and Hermanus.
- Sandbaai Main Road between the R43 and Bergsig Street **will require immediate dualling** to support further developments in the Sandbaai area.
- The proposed Fairways Relief Road is essential for accommodating the long-term development and traffic growth in and around the Hermanus CBD and could be considered as a viable alternative to the original Hermanus Bypass proposal.
- The original Hermanus Bypass proposal cannot be justified in terms of current traffic predictions.”

Figure 4.9 on p76 of the full Overstrand Transport Plan (extract below) indicates future need even more clearly by means of volume/capacity plots in different colours. It can be seen that according to the Province’s own forecasts, the section of R43 between Onrus and Sandbaai, as well as the Sandbaai intersection area is a much higher need than the proposed Hermanus Bypass.

Figure 4.9: 2035 Volume: Capacity Analysis of the Existing Road Network



7. Sensitive Land Uses have been Omitted

The most notable land uses adjacent to the Northern & Southern alignments are identified; however there is the significant omission of the cluster of four churches and cemetery close to Hoy's Koppie.

On p42 Land Uses Surrounding the Bypass Route have been identified with the most notable ones being plotted in Fig 3-16 – see below. A significant omission is the cluster of four churches and the cemetery, namely;

- The Hermanus Catholic Church,
- The Hermanus Synagogue,
- The Hermanus Church of England, and
- The Hermanus Seventh Day Adventist Church.



Figure 3-16: Surrounding land uses

Legend: 1 - Femkloof Nature Reserve, 2 - Northcliff residential area, 3 - Hermanus cemetery, 4 - Hoy's Koppie, 5 - Hermanus High School, 6 - Sports complex, 7 - Hermanus Country Market, 8 - Hermanus Private School, 9 - Innesbrook Village residential complex, 10 – Eastcliff residential area and 11 - Hermanus Golf Course.