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Attention: Jessica du Toit (email: jedutoit@srk.co.za) & Sue Reuther (email: sreuther@srk.co.za)

Copy to:

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Dear Sirs,

COMMENTS ON THE FINAL SCOPING REPORT: PROPOSED NEW CBD BYPASS ROAD IN HERMANUS (DEA&DP Ref: 16/3/1/2/E2/15/2124/14)

Your email dated 14th December 2015 informing us of the release of the above report for comment refers.

Below please find our summarised comments on the Final Scoping Report supported by our detailed comments in the attached document entitled "HRA's Detailed Comments on the Final Scoping Report".

1. Non-compliance with Transport Legislation

The planning of the proposed Bypass does not comply with the relevant transport planning provisions in the National Land Transport Act, 2009 (No. 5 of 2009) and its Regulations, that provide for National, Provincial and Municipal transport plans – the latter being integral parts of Municipal IDPs. This non-compliance with transport legislation in what is a transport project is considered to be a fatal flaw.



In the Final Scoping Report itself, an extensive analysis is presented of South African Legislation impacting on the project and the EIA process; a major omission is that of the relevant transport legislation, namely the National Land Transport Act, 2009 (No. 5 of 2009) and its Regulations.

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

There are a number of statements in the Final Scoping Report that imply that the Overstrand Municipality is in support of the Bypass and this is factually incorrect. It is disingenuous to imply that the project has municipal approval as a project supported by certain officials within the Municipality does not equate to approval by the Overstrand municipality.

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

The costing of the various alternatives mistakenly assumes no monetary value of the land that will need to be taken from the Fernkloof Nature Reserve, and, as a result, the screening out of an Upgraded Relief Road based partly on some R78m of property expropriation costs versus no Fernkloof Nature Reserve land costs for the Northern & Southern alternatives is patently incorrect.

4. The Screening of Alternatives is Qualitative & Biased

The screening of alternatives has been undertaken on a qualitative and biased basis, rather than on a quantitative and objective basis and this is a fatal flaw.

The quantitative and objective screening of alternatives should be undertaken using well-established matrix-type scoring techniques such as a “Goals Achievement Matrix” which considers how well the alternatives score in achieving goals, objectives or criteria such as technical performance, operational performance, environmental performance, financial and economic performance, etc.

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



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

In summarising the recent report on the CBD Regeneration Framework, an incorrect conclusion is drawn that Municipal support for the de-proclamation of the existing CBD Main Road as a Provincial Road necessarily equals support for a Provincial bypass through the Fernkloof Nature Reserve. In fact, de-proclamation of the Main Road through the CBD could equally take place with the alternative of a substantially-upgraded Relief Road and be in alignment with the CBD Regeneration Framework.

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

In the Overstrand Transport Plan (Summary is in Appendix J), the 2035 traffic forecasts indicate that the worst traffic congestion is predicted to occur on the R43 just to the west of current proposed Bypass, in the vicinity of the Sandbaai intersection. The requirement of demonstrating need is therefore not satisfied, as based upon the Province's own traffic forecasts; the proposed Bypass is not the highest priority need on the R43 in Hermanus.

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 three churches and the synagogue close to the cemetery and to Hoy's Koppie.

Kindly confirm receipt of our comments and feel free to contact us should you wish to discuss any of the above in more detail.

Yours sincerely,

R A Stanway
CHAIRMAN