

N2 WILD COAST TOLL HIGHWAY PROJECT

MINUTES OF AUTHORITIES COORDINATION COMMITTEE MEETING NUMBER 9	Date: 15 August 2018
	Time: 08h30
	Venue: Mtamvuna Room, Wild Coast Sun

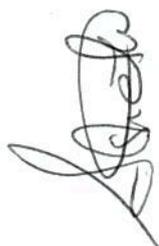
No.	Item	Action
1.	<u>OPENING AND WELCOME</u>	
1.1	<p>Opening Mr Drew (NMA Effective Social Strategists) opened the meeting and introduced Sakhiwo Nombembe (ECPTA), Barney Kgope, Stanley Tshitwamulomoni and Pamela Kershaw (DEA Biodiversity and Conservation), Eloise Costandius (SLR) and Nomi Muthialu (NMA) who were attending the meeting for the first time. <i>Refer to attendance register for list of attendees</i></p>	
1.2	<p>Apologies Apologies were given for Mr Smit (DEA), Mr Gabula (DEDEAT), Mr Mokhanya (ECPHRA) and Ms Thompson (DMR).</p>	
2.	<u>ADOPTION OF AGENDA</u>	
2.1	The agenda was adopted as a suitable guide for the proceedings of the meeting with the addition of <i>Representation of Organisations</i> and <i>Update on Work in Forest Area</i> under item 6 and Item 3 was changed to <i>Update on BOA</i> from <i>Update on BOA Funding</i> .	
3.	<u>UPDATE OF BIODIVERSITY OFFSET AGREEMENT (BOA)</u>	
3.1	Dr Songelwa (ECPTA) gave a presentation on the BOA. <i>Refer to Annexure I for details.</i>	
3.1.1	<p>Ms Kershaw asked how much funding ECPTA had received and the period that these funds were to be used for.</p> <p>Dr Songelwa said that ECPTA is receiving the funding in tranches and they have received the first one with the second tranche due at the end of August 2018.</p> <p>Mr McClachlan (SANRAL) said that the first payment covered the amount that should have been paid in the previous financial year together with the first tranche of the current financial year and going forwards the payments will be paid as per the agreement.</p>	
4.	<u>ADOPTION OF PREVIOUS MINUTES</u>	
4.1	The minutes were adopted as an accurate reflection of the proceedings of the previous meeting without any amendments or additions.	
5.	<u>MATTERS ARISING</u>	
5.1	<u>Matters Arising from the Minutes of ACC Meeting No. 8 on 15 May 2018</u>	
5.1.1	<p><i>Item 5.1.1: SANRAL will issue the guarantee for the first quarry as soon as the Minister gives approval and then it is expected that DMR will issue their decision on the quarry.</i></p> <p>Ms Makoa (SANRAL) said that SANRAL is in discussions with National Treasury as this issue, of one government entity providing a guarantee to another, falls within its area of authority. She said SANRAL is exploring the most efficient means of doing this as SANRAL will need to do this for a number of different projects and not just on the N2 Wild Coast Toll Highway.</p> <p>Mr Drew asked whether this meant the issuing of the permit had been delayed and what the implications were for the project.</p> <p>Mr McClachlan said that the permit had not been issued but there are still about 8 months before material is needed from this quarry. SANRAL can also use commercial sources and it is also investigating other licensed quarries in the area in terms of the quality of material and quantities available as it is not just the Mtentu – Msikaba section of the project that will require</p>	SANRAL

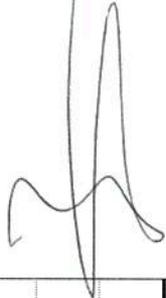
5.1.2	<p>material. SANRAL needs to ensure that the required material is available for all seven road contracts and if it is not then SANRAL must investigate other sources.</p> <p><i>Item 6.1iii: The parties concerned to follow up on the procedure for money to be transferred from ECPRF to DEDEAT immediately after the meeting.</i></p> <p>Mr Drew said that this issue was resolved and the money was transferred to ECPTA.</p>	
5.1.3	<p><i>Item 6.3: NMA to request additional people for the distribution list from those organisations who did not provide them.</i></p> <p>Mr Drew said he sent out a reminder and received some additional details of people to receive information.</p>	
5.1.4	<p><i>Item 6.6ii: SLR to include Mr Van der Merwe and Mr Ricketts in the arrangements for the site visit to the forest area.</i></p> <p>Mr Fredericks (SLR) said the site visit arrangements were duly undertaken with the required involvement of Mr Van der Merwe and Mr Ricketts and the forest ecologist reported that the method statement was being adequately adhered to for the work in the forest.</p> <p>Mr Van der Merwe (DAFF) said that based on the site visit and the method statement for the haul road into the forest, DAFF made recommendations which were adopted. These included the creation of a berm for protection from landslides, the creation of silt traps and the storage of topsoil from the clearing. He said he returned to site after the work was done and everything had been done according to the specifications and the forest ecologist has been on site on a regular basis to monitor the work and provide advice.</p>	
6.	<p><u>OTHER ISSUES / GENERAL</u></p> <p>6.1 Mr De Villiers (DEDEAT) said that item 6.5 from the previous minutes was not discussed under matters arising which referred to the amendment of the RoD.</p> <p>Mr Drew said this will be discussed in the EMC meeting because DEA Compliance, who must respond on this issue in terms of the audit they carried out, do not attend ACC meetings.</p> <p>6.2 Mr De Villiers said that regarding the DEDEAT permit for the removal of protected plants, it was acknowledged by Ms Noluthando Bam from the DEDEAT permit section that section 9 of the current permit is confusing. This section, which refers to the donation of TOPS species to traditional healers or private individuals, has been rewritten in the new permit which comes into effect after 16 August 2018. He said the amendment provides clarity on the need for additional permits to be issued to anyone receiving TOPS plants from the project. He also said that Ms Bam from DEDEAT's King Williams Town office would be dealing with permit applications following Alan Southwood's retirement.</p> <p>6.3 Mr Fredericks asked whether the renewal permit could include the contact details of the DEDEAT officials who should come to site if additional permits need to be issued.</p> <p>6.4 Mr De Villiers asked if the permit should still be addressed to Mogole Mphahlele at SANRAL.</p> <p>Ms Makoa confirmed that it should.</p> <p>6.5 Mr Fredericks said that at the site visit the previous day a DEDEAT official asked whether a NEM Biodiversity Act (NEMBA) permit was also issued for the project. He said he had checked his previous correspondence with Alan Southwood, formerly of DEDEAT, who indicated that the DEDEAT permit covers the requirements of both the Transkei Nature Conservation Decree and NEMBA.</p> <p>6.6 Mr Dandala (DAFF) said there are three pieces of legislation governing the species that are rescued, the Transkei Decree, NEMBA and the Forestry Act, and he asked if the plants in the temporary plant holding areas could be arranged according to these different pieces of legislation to make it easier for the officials who must audit and report on what is being done. He also wanted to know about the survival rate of the plants.</p> <p>It was explained that the plants are arranged according to the geographical location from where they were removed in order to facilitate proper rehabilitation of the areas disturbed during construction. It was also suggested that the plant search and rescue teams could be asked to use a system like colour-coded markers for each of the three different pieces of legislation to indicate which species are applicable to which act. However, it was stated that the reporting that is done in terms of the forest licence conditions includes information on the plant survival rate - these reports are sent to Mr Van der Merwe at DAFF who can make them available to Mr Dandala for his further information in this regard.</p> <p>6.7 Mr Van der Merwe asked that the relevant person from the plant search and rescue team be</p>	DEDEAT

	<p>present for the site visit as the person at the nursery the previous day could not answer relevant questions about the rescued plants.</p> <p>Mr Fredericks explained that the plant search and rescue team's botanist was unfortunately unable to make himself available for the visit to the plant holding area due to unforeseen circumstances.</p> <p>6.8 Mr Drew said that under 6.1 on the agenda he had included the matter of grave permits from ECPHRA as Mr Mokhanya had stated at the previous EMC meeting that there were concerns regarding the graves and he was going to put this in writing to SANRAL. He said that to date this had not been done and unfortunately Mr Mokhanya was unable to attend the meeting so the matter would have to be followed up through correspondence.</p> <p>6.9 Mr Drew said that under 6.2 on the agenda he had included the matter of observers to EMC meetings in view of what happened at the previous EMC meeting. He said the Terms of Reference have the following to say about speaking rights for observers: <i>The Chairperson, after hearing representations from members of the EMC and any person potentially affected by the Chairperson's ruling, shall determine whether or not an observer should be granted speaking rights. If an observer is granted speaking rights, he / she must adhere to the guiding principles of the EMC.</i></p> <p>After due deliberation on the matter, it was agreed that observers should state in advance if there are issues they want to raise and if the issues fall within the scope of the EMC then they should be allowed to speak.</p> <p>6.10 A concern was raised around the false and misleading reporting of some of the observers in the media regarding the previous EMC meeting.</p> <p>It was agreed that there would always be negative and sometimes dishonest media coverage of the project and in most instances it is not worth responding because it just adds fuel to the fire. SANRAL has its own public relations and media people who can respond if necessary but in terms of the EMC it must simply continue to operate in an open and transparent manner and keep the public informed by placing the minutes of the meetings on the project website.</p> <p>6.11 In reference to the additional agenda item regarding representation of organisations, Ms Kershaw (DEA Biodiversity and Conservation) said that Ms Wilma Lutsch of DEA Biodiversity and Conservation retired earlier in the year and as the alternative to Ms Lutsch she would now be attending the meetings going forwards. She asked whether this needed to be put in writing to SANRAL.</p> <p>Mr Drew said this would be captured in the minutes and need not be put in writing.</p> <p>6.12 In reference to the additional agenda item regarding an Update on Work in the Forest Area, Mr Van der Merwe said that before he discussed the work in the forest he would like clarity on whether DEDEAT and ECPTA should also comment on the method statement for the work in the forest area and the progress report on the work carried out in the forest.</p> <p>Mr Fredericks said that in terms of the DAFF Forest licence the method statements are sent for comment to both Mr Van der Merwe at DAFF and Ms Bam and others at DEDEAT and in terms of the DEDEAT permit, progress reports are compiled every three months and sent to Ms Bam. As the current plant search and rescue work is in a forest area the progress reports are also sent to Mr Van der Merwe.</p> <p>6.13 Mr Van der Merwe said that he is very excited about all the information being collected from the work in the forest which he believes will add significantly to the scientific knowledge base on scarp forests. He said once the reports on this work have been finalised he would like to be given permission to send them to three universities that carry out research on forests so that this information can be made more widely available. He said he was on site where the footprint for the bridge column was cleared and he was very impressed with the work that was done which was so precise it looked as if it had been done by a surgeon.</p> <p>Mr Drew said it was good to hear something positive about the work that is being done. He said the project provides a unique opportunity to create new knowledge about the botany in the area which can be shared as Mr Van der Merwe suggested.</p> <p>8.14 Mr De Villiers said that a concern was raised by the Amadiba Crisis Committee through a Dr Forslund regarding boulders and rubble going into the Mtentu River and a river near Jama that is a tributary to the Mtentu. He said unfortunately he couldn't make it to the site visit but apparently there was nothing visible in the Mtentu River. He said this should be discussed because it will be raised in the EMC meeting.</p> <p>Mr Drew said that Mr de Villiers had spoken to him about this before the site visit and he had raised it with the Site ECO, Mr Muir, during the site visit and he requested a copy of the photos</p>	NMA
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<p>8.15</p> <p>8.16</p> <p>8.17</p> <p>8.18</p> <p>8.19</p>	<p>and email about this complaint so that a written response can be provided.</p> <p>Mr De Villiers said that he would forward the email and photos.</p> <p>Mr Van der Merwe asked about the boulders on the south bank of the Mtentu River that were visible on the site visit.</p> <p>Mr McClachlan said that there are historical landslides into the gorge on the south bank of the Mtentu River which occurred naturally due to the steep slope and lack of stability. He said there were also some boulders that had fallen during the construction of the access road and the clearing of the site for pier 8. He said there are two protective measures that will be put in place. Silt traps are being installed as the work progresses to catch silt and prevent it from reaching the river and rock fences will be erected once access can be made to install them. The rock fencing has been imported from Switzerland and will arrive on site soon. He said when work on pier 8 is underway the contractor will try and recover the boulders because they are sitting at the same level as the base of the pier and it may be possible to recover them. If it is not possible to recover them then they will be stabilised and landscaped with vegetation, as appropriate.</p> <p>Mr Fredericks said that water quality monitoring is being carried out both upstream and downstream of the bridge site so this information can also indicate whether there have been any changes to the water quality.</p> <p>Mr Drew asked how far back this information goes.</p> <p>Mr Fredericks said that the contractor started in March of this year before work commenced on site but there is also information collected during the EIA which can provide a historical comparison.</p> <p>Mr Mbikwana (DWS) said that the method statements provided by SANRAL for the application were general in nature because the exact construction method was not known at that stage and he asked that these now be updated to include the mitigation measures described by Mr McClachlan for silt and boulders.</p> <p>Mr Mbikwana requested that the results of the water quality monitoring be included in the quarterly audit reports.</p> <p>Dr Songelwa said that the next Project Steering Committee meeting for the BOA will take place on 30 October. She said ECPTA is in the process of writing to the respective departments to request official representation on the PSC but asked the ACC members to diarise the date as the representatives could be the same as for the ACC. She said the meetings would rotate between Port St Johns, Lusikisiki and other towns in the area and the next meeting will probably be in Port St Johns.</p>	<p>DEDEAT</p> <p>SANRAL</p> <p>ECOs</p>
<p>7.</p> <p>7.1</p>	<p><u>WAY FORWARD AND CLOSURE</u></p> <p>Mr Drew thanked members for their attendance and said the next meeting will be on Wednesday 14 Novemebr 2018. He said he will inform them nearer the time whether there will be a site visit on the preceding day. He then closed the meeting.</p>	<p>NMA</p>

NMA EFFECTIVE SOCIAL STRATEGISTS (PTY) LTD				ATTENDANCE REGISTER			
Project		N2 WILD COAST TOLL HIGHWAY		Meeting		AUTHORITIES COORDINATION COMMITTEE	
Date	Wednesday	Time	08h30	No.	9	Venue	Mtambvuna Room, Wild Coast Sun
Organisation				Contact Numbers			
Name				Signature			
1	DAFF	Position / Designation	Mikayise MANANA			Tel : 043 634 5400	
	Forestry Scientists.	E-mail:				Fax :	
			Mikayise@daff.gov.za			Cell: 071 882 8574	
2	DAFF	Position / Designation	JOYI			Tel : 039-7276174/5	
			VUSISA JOYI			Fax : 039-7273239	
		E-mail:				Cell: 0828096448	
	FOREST ESTATE MANAGERS		VUSISA@daff.gov.za				
3	EIMS (Pty) Ltd	Position / Designation	Andisive Stuurman			Tel : 0437227572	
		E-mail:				Fax :	
						Cell: 0814102569	
4	SANRAL	Position / Designation	NENELEZI SONSXABA			Tel : 041398 3000	
	Environment (Coordinator)	E-mail:				Fax :	
			sonsxaben@ara.co.za			Cell: 083 988 5156	
	Costa		utombekhayi@sanral.co.za				
			eco@sanral.co.za				
			0827799429				

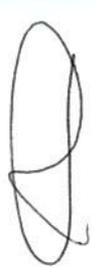
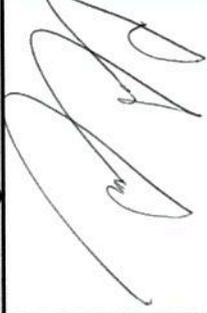
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	Organisation	Name	Contact Numbers	Signature			
13	DEDEAT	Thembatsozi Tshetu	Tel: 039 256 3237 Fax: 086 519 7748 Cell: 071 876 5292				
	Position / Designation	E-mail:					
	REGIONAL DIRECTOR	thembatsozi.tshetu@deda.gov.za					
14	SUR	ELUISE COSTANDIUS	Tel: 021 461 1118 Fax: Cell: 082 612 1939				
	Position / Designation	E-mail:					
	PEM	ecostandius@slrconsulting.com					
15	SUR	FUAD FREDERICKS	Tel: 021 461 1118 Fax: Cell: 083 412 9340				
	Position / Designation	E-mail:					
	PEM	Fredericks@slrconsulting.com					
16	DAFF	izak volm 201011.gov.za	Tel: Fax: Cell: 084 910 2604				
	Position / Designation	E-mail:					

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	Organisation	Name	Contact Numbers	Signature			
17	DAFF	WISGMAN YAKO	Tel : 043 604 5433 Fax : - Cell: 082805 41 82				
	DEPUTY DIRECTOR	Yako Wodoff .gov.za					
	Organisation	Name	Contact Numbers	Signature			
18	DEDERAT	Div de Villiers	Tel : Fax : Cell: 082 417 0151				
	Position / Designation	E-mail:					
	Director	div.devilliers@dedea.gov.za					
	Organisation	Name	Contact Numbers	Signature			
19	SANRAL	Mogole Mphahlele	Tel : 012 844 8000 Fax : Cell: 083 474 1041				
	Position / Designation	E-mail:					
	Env. Specialist	mphahlelem@nra.co.za					
	Organisation	Name	Contact Numbers	Signature			
20			Tel : Fax : Cell:				
	Position / Designation	E-mail:					

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21		Organisation	Name	Contact Numbers		Signature	
	SANRAL	MPATI	MAKGA	Tel :	012 844 8000		
		Position / Designation		Fax :		MAM	
				E-mail:	083 387 6620		
22		Organisation	Name	Contact Numbers		Signature	
	ECPTA		Nomvuselelo Sompelwa	Tel :	043 7554400		
		Position / Designation		Fax :			
				E-mail:			
			CEO				
23		Organisation	Name	Contact Numbers		Signature	
	ECPTA		Sakhiwo Nombembe	Tel :	043 705 4400		
		Position / Designation		Fax :	Sakhiwo-Nbembe		
				E-mail:	072 111 5534		
			Senior Manager: Stakeholder Mgt				
			Sakhiwo.Nombembe@ecpta.co.za				
24		Organisation	Name	Contact Numbers		Signature	
	ECPTA		VUYANI MAFIYA	Tel :	047 492 0282		
		Position / Designation		Fax :	086 546 2745		
				E-mail:			
			Reg. Mnggr - MAFIYA & CONSTAL				
			Vuyani.mafiya@ecpta.co.za				

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25	ECOSOLVE		BEPO LEPONO				
	Position / Designation		E-mail:				
	ECD						
26	Organisation		Name				
	1ctsolob Consultancy		Mosibi Ntete				
	Position / Designation		E-mail:				
27	Organisation		Name				
	DGA		Burney Kgope			Tel : 012 399 9165	
	Position / Designation		E-mail:			Fax :	
28	Acting acting Director		B.kgope@environment.gov.za			Cell:	
	Organisation		Name				
	DGA		Samela Keshwan			Tel : 012 388 9585	
28	Position / Designation		E-mail:			Fax :	
	Deputy Director: Biodiversity Planning		plceshwan@environment.gov.za			Cell:	

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29	DEA	Stanley Tshimambonani	Tel : 012 399 9589 Fax : Cell:				
	Position / Designation	E-mail:					
	Acting Director: Biodiversity Conservation	StanleyT@environment.gov.za					
30	SAARAL	JOHN GIBBERD	Tel : Fax : Cell: 082 627 2778				
	Position / Designation	E-mail:					
	P. M ANAGER	gibberdj@nra.co.za					
31	SAURAC	Craig McLachlan	Tel : Fax : Cell: 082 576 2935				
	Position / Designation	E-mail:					
	Project Manager	McLachlanC@nra.co.za					
32	DWS - E-LONDON	NOEL MLONDOZI MBIKWANA	Tel : 0437010366 Fax : Cell: 082 940 5474				
	Position / Designation	E-mail:					

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37	Organisation	Name		Contact Numbers		Signature	
	NMA	Nomi Muthialu		Tel : 082 652 6285			
	Position / Designation	E-mail:		Fax :			
38	Organisation	Name		Contact Numbers		Signature	
	NMA	Julian Drew		Tel : 082 654 4365			
	Position / Designation	E-mail:		Cell:			
39	Organisation	Name		Contact Numbers		Signature	
				Tel :			
	Position / Designation	E-mail:		Fax :			
40	Organisation	Name		Contact Numbers		Signature	
				Tel :			
	Position / Designation	E-mail:		Cell:			