

## N2 WILD COAST TOLL HIGHWAY PROJECT

### MINUTES OF AUTHORITIES COORDINATION COMMITTEE MEETING NUMBER 16

**Date:** 19 August 2020

**Time:** 08h30

**Venue:** Microsoft Teams - Online

No.	Item	Action
<b>1.</b>	<b><u>OPENING AND WELCOME</u></b>	
1.1	<b>Opening</b> Mr Drew (NMA Effective Social Strategists) opened the meeting and welcomed everybody present. <i>Refer to attendance register for list of attendees</i>	
1.2	<b>Apologies</b> Apologies were given for Mr Lucas (DWS), Mr Kgope (DEFF) and Mr Willis (SANBI).	
<b>2.</b>	<b><u>ADOPTION OF AGENDA</u></b>	
2.1	The agenda was adopted as a suitable guide for the proceedings of the meeting without any amendments or additions.	
<b>3.</b>	<b><u>ADOPTION OF PREVIOUS MINUTES</u></b>	
3.1	The minutes were adopted as an accurate reflection of the proceedings of the previous meeting without any amendments or additions.	
<b>4.</b>	<b><u>MATTERS ARISING</u></b>	
	<b><u>Matters Arising from the Minutes of ACC Meeting No. 15 on 4 March 2020</u></b>	
4.1	<i>Item 4.7: CMEJV to make the necessary space available at Msikaba North and South site camps to relocate the plant holding areas to the bridge site camps.</i>  Mr Drew said the feedback he received indicated that the plant holding area at Msikaba North has been completed and the plants were moved there the previous week and the plant holding area at Msikaba South has been established but the shaded area is being extended and the plants will be moved there by the end of August.	<b>SANRAL</b>
4.2	<i>Item 4.8: A letter from the ACC should be sent to the HODs of COGTA, DRDLR and Department of Agriculture requesting assistance in managing illegal structures along the road.</i>  Mr Drew said that there will be a meeting of the N2 Wild Coast Toll Highway Political Oversight Committee (POC) the following morning and SANRAL will put the letter on the agenda and it will also be sent to all the members of the POC and Technical Committee which includes the relevant Heads of Departments and Municipal Managers. There should therefore be some feedback on this matter by the next ACC meeting.	
4.3	<i>Item 5.1: It was agreed that the next meeting would be in August and the contractor and ECOs would advise nearer the time whether there should be a site visit before the meeting.</i>  There was no site visit as the meeting is being held online.	
<b>5.</b>	<b><u>OTHER ISSUES / GENERAL</u></b>	
5.1	Mr De Villiers (DEDEAT) said there has been concern since the very beginning about the plant holding areas. He received an email from Dean Ricketts stating that the plants appear to be dying and there appears to have been theft of the plants.  Mr Fredericks (SLR) said he was on site the previous week and the plants were doing very well. The reports from the plant search and rescue service providers are submitted quarterly as per the requirements of the permit and he could not understand the concerns being raised.	

<p>5.2</p> <p>5.3</p> <p>5.4</p> <p>5.5</p> <p>5.6</p>	<p>Mr Drew asked whether either of the plant search and rescue service providers had reported any theft of plants.</p> <p>Mr Fredericks said this was not mentioned in either of the reports submitted by the plant search and rescue service providers.</p> <p>Mr Kriel (ECO – Msikaba section) said he neither observed nor had not been made aware of any plant thefts and all the plants seem to be in good condition at the Msikaba sites.</p> <p>Mr Lepono (ECO – Mtentu section) said that everything was in order at the Mtentu sites and there were just some minor incidents of children opening the taps to the jojo tanks.</p> <p>Mr van der Merwe (DEFF – Forestry) said that during his site visit in November last year there was a plant holding area to the north of the Msikaba which was next to a road and those plants were covered in dust due to the passing vehicles. Has this issue been addressed?</p> <p>Mr Fredericks said the service provider did address this by putting shade netting alongside the road from where the dust was coming and also by removing the dust from the foliage on a regular basis. In the meantime, however, these plants have now been relocated to the actual bridge site.</p> <p>Mr Kriel said that on his last site visit the plant holding area on the north bank of the Msikaba had been prepared and all the plants were being relocated there. On the south bank the area had been prepared and the area under shade netting was being extended so that the plants from the temporary holding area could be moved there.</p> <p>Mr De Villiers said that previously he has spoken to Ms Mei from SANBI about monitoring the plants and SANBI is keen to do that. SANBI also has facilities at Kwelera that can take some of the plants and he asked Ms Mei to comment on this.</p> <p>Ms Mei (SANBI) said that SANBI does have space at Kwelera if there is a problem at the plant holding areas. She said she would be happy to go and view the site and help where she is able and if there are surplus plants she would be happy to take them to Kwelera.</p> <p>Mr Fredericks said the service providers were asked to prepare method statements for replanting some of the grassland plants into the no-go areas around the bridges. He received the method statement for the Mtentu bridge site and this was forwarded to SANBI who provided comments. The proposal has now been sent to SANRAL for approval.</p> <p>Mr Gabula (DEDEAT) said that in terms of the proposed meeting between SANRAL, DEDEAT and DMR it was stated that DEDEAT would be required to comment on the EMPr for any quarry or sand mining applications and he wanted to know if any of these EMPr had been sent to DEDEAT for comment.</p> <p>Mr Drew said that the applicants for such permits were private sector operators who would submit their applications to DMR and then DMR would forward them to DEDEAT for comment so the DEDEAT department dealing with EIA applications would be able to provide this information.</p> <p>Mr Gabula said that in the previous minutes reference was made to the letter to the N2 Wild Coast Toll Highway Political Oversight Committee (POC) requesting assistance in managing illegal structures along the road and he asked whether there was any information on how many illegal structures had been erected and whether this was escalating. He suggested approaching the local traditional leaders who are responsible for allocating sites in the area.</p> <p>Mr Drew said that in terms of SPLUMA it is the local authorities who would have jurisdiction in terms of enforcing land use planning contraventions although the local authorities would also consult the traditional authorities when trying to resolve such matters. The traditional authorities are in dispute over SPLUMA and do not recognise it as they believe it has taken away their traditional right to give people permission to occupy land. It was felt that as the representatives on the POC have political responsibility for the project they are in a position to instruct their departments on actions to be taken and they were therefore the correct channel to approach to try and resolve this issue.</p> <p>Mr Gabula asked for an update on the national botanical garden for the Pondoland Centre of Endemism (PCE).</p>	<p>SANRAL</p>
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	<p>Mr Drew said that a decision had been taken at a previous meeting that either of the national botanical gardens at Kwelela or Pietermaritzburg could take plants as they both cover the PCE and could set up areas to represent plants from the PCE.</p> <p>Ms Mei (SANBI) said that SANBI would like to have a display of plants from the PCE at Kwelela and SANBI is also available to assist with the rehabilitation of plants back into the area where they came from.</p> <p>Mr Fredericks said that Ms Mei and anybody else who would like to visit the site should contact him and the necessary arrangements can be made. He said there are a number of protocols that need to be followed in terms of Covid-19 but he would make all the arrangements in this regard.</p>	<b>SANBI</b>
5.7	<p>Mr De Villiers said that the TOPS permit is about to expire and reminded SANRAL to apply for its renewal.</p>	
5.8	<p>Mr Fredericks said the TOPS permit for the Mtentu sites expires on 24 September and the service provider normally applies a month in advance for a renewal of the permit so within the next week that application for renewal will be made.</p>	<b>SLR</b>
5.8	<p>Mr De Villiers requested anybody who is on site who notices new structures being built in and around the N2 to inform DEFF and DEDEAT.</p> <p>Mr Fredericks said he had noticed an additional one or two allotments close to the start of the Msikaba Haul Road South across the valley from the road reserve and there was also some sand mining activity adjacent to the road reserve which needs to be addressed – the latter would be included in the presentation by the Msikaba ECO at the EMC meeting.</p>	<b>EIMS</b>
5.9	<p>Mr Gabula said that he appreciates the efforts that have been made to get the Political Oversight Committee to address the issue of illegal structures but most of the departments that are responsible for enforcing such matters are represented in the ACC such as COGTA and they should act on those illegal structures otherwise it will quickly get out of hand. DEDEAT can also assist COGTA in engaging the relevant traditional leaders and the people who are building those structures. This issue should be addressed as soon as it happens because once structures exist it is very difficult to resolve such a situation.</p> <p>Mr Drew said the reason it had been such a long and drawn out process was because it had been anticipated that the Wild Coast Spatial Development Framework would be promulgated and then there would be a roll out of workshops with all the local and traditional authorities who would then be required to enforce the land use provisions of the SDF. However, this did not happen and the Wild Coast SDF was subsumed as part of the Eastern Cape Provincial SDF and that has not yet been gazetted. The intervention of DEDEAT and COGTA would be welcome but it is important to note that the municipalities must be engaged together with the traditional authorities as land use management is the municipalities' responsibility. All municipalities are required to have land use management by-laws in place by October 2020 and they will be responsible for enforcement of any land use contraventions in terms of these by-laws.</p> <p>Mr McLachlan (SANRAL) said it is important to have a multi-pronged approach to dealing with illegal structures. There is still great uncertainty around the roles and responsibilities of municipalities and traditional authorities in terms of land use in the traditional areas and the government needs to give direction to COGTA and the Provincial House of Traditional Leaders. There needs to be an educational campaign targeted at the traditional authorities to explain what the role of the headmen and chiefs is in terms of land use planning without creating too much fallout because it is a sensitive issue.</p> <p>Mr Drew said the overall responsibility for SPLUMA lies with DALRRD and they can perhaps be approached to assist with this capacity building. It is a very sensitive matter and that is why it is best to allow the Political Oversight Committee to give political direction to their departments on how to handle this. The POC will be meeting the following day and it should be possible to get feedback on this fairly soon. Illegal structures in environmentally sensitive areas obviously have an environmental impact and it is therefore important to involve DEDEAT and DEFF in any interactions that take place. If there is a need, and he is requested to do so, Mr Drew said he can contact the head of the department responsible for SPLUMA within DALRRD to provide guidance as he is working with him on another project.</p>	
5.10	<p>Mr Gabula said that wherever illegal structures have an impact in terms of any of the NEMA Acts,</p>	

<p>5.11</p> <p>5.12</p>	<p>DEDEAT will have to take action through the municipalities.</p> <p>Mr De Villiers asked whether a contractor had been appointed to rehabilitate the areas where erosion had taken place at the Mtentu bridge site and if so what progress had been made.</p> <p>Mr Lepono said contractors were appointed in October for both the North and South banks of the Mtentu. The work on the North bank is almost complete. The contract for the contractor working on the South bank was terminated in February due to slow progress although a lot of the work was completed.</p> <p>Mr McLachlan said that SANRAL is about to award several new tenders for the Mtentu site for security, the provision of toilets and the ongoing maintenance of the site which includes completing any of the outstanding remedial work and the ongoing removal of alien vegetation, cleaning of silt traps and erosion control until such time as there is a new contractor on site.</p> <p>Mr van der Merwe (DEFF Forestry) said that many of the plants in the holding area at Mtentu North have been in their bags for a very long time now and it may be necessary to place them in larger bags to prevent them from deteriorating. He was also concerned that if SANBI took plants from the holding areas there would not be enough to rehabilitate the road reserve once construction was completed and plants would have to be source from elsewhere.</p> <p>Mr Fredericks said that the plant search and rescue service provider for the Mtentu sites has already placed many of the plants in larger bags and also raised the concern that in terms of the original timeframes for the project the plants in the Mtentu holding areas should already have been replanted as part of rehabilitation and that is why the Mtentu plant search and rescue service provider proposed that the grassland species be planted in the no-go areas at the bridge site. This proposal is currently awaiting a decision from SANRAL. The forest species will be kept until it is possible to rehabilitate the disturbed areas in the forest.</p>	<p><b>SANRAL</b></p>
<p><b>6.</b></p> <p>6.1</p>	<p><b><u>WAY FORWARD AND CLOSURE</u></b></p> <p>Mr Drew said that a decision would be taken on the timing and nature of the next ACC and EMC meetings during the EMC meeting. He then closed the meeting.</p>	<p><b>NMA</b></p>

# N2 WILD COAST TOLL HIGHWAY AUTHORITIES COORDINATION COMMITTEE MEETING NUMBER 16

**Date:** 19 August 2020  
**Time:** 08h30  
**Venue:** Online Microsoft Teams Meeting

## ATTENDANCE REGISTER

-  Julian Drew joined the meeting.
-  Julian Drew renamed the meeting to N2 Wild Coat Toll Highway - Authorities Coordination Committee Meeting.

August 19, 2020

-  Meeting started 8/19 8:14 AM
-  GP Kriel (Guest) joined the meeting.
-  mossie joined the meeting.
-  Izak (Guest) joined the meeting.
-  Portia (Guest) joined the meeting.
-  Nomama Mei joined the meeting.
-  Nomama Mei left the conversation.
-  Dr Danie Smi (Guest) joined the meeting.
-  Mogole Mphahlele (HO) joined the meeting.
-  Nenekazi Songxaba (SR) joined the meeting.
-  Seoka Lekota joined the meeting.
-  Vuyani Mapiya joined the meeting.
-  Div DeVilliers joined the meeting.
-  Sizakele Gabula joined the meeting.
-  Fuad Fredericks joined the meeting.
-  Nomi Muthialu joined the meeting.
-  tsepo joined the meeting.
-  Sello Mokhanya joined the meeting.
-  Mpati Makoa (HO) joined the meeting.
-  Craig Mclachlan (SR) joined the meeting.
-  Tsepo Lepono joined the meeting.
-  tsepo left the conversation.
-  Nomama Mei joined the meeting.
-  Nqabisa Gwentshe (Guest) joined the meeting.
-  Nyiko Nkosi joined the meeting.
-  Sakhiwo Nombembe joined the meeting.