

FINAL STAKEHOLDER MEETING HELD FOR THE N 1/R 21 QUADRANT ENVIRONMENTAL MANAGEMENT FRAMEWORK

Draft Proceedings



Date: 17 March 2004
Time: 17h45
Venue: Centurion Council Chambers,
Corner Rabie and Basden Roads, Lyttelton

Meeting chaired by: Dr Trish Hanekom

1. ATTENDANCE

Refer to Appendix 1 for attendance register.

2. INTRODUCTION

The final presentation of the N 1/R 21 Environmental Management Framework (EMF) to the stakeholders was formally opened by Dr Trish Hanekom (TH), the Head of the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs (GDACEL). TH welcomed everyone and forwarded an apology from the Gauteng MEC, Ms Mary Metcalfe, for not being able to attend the meeting.

TH outlined the work undertaken by Strategic Environmental Focus (SEF) in compiling a comprehensive Environmental Management Framework for the N 1/R 21 Quadrant. The sensitivity of the study area (N 1/R 21 Quadrant) was emphasized. Pressure on the quadrant include the number of heritage sites located in the study area, as well as pressure being experienced on its natural resources due to enormous developments currently taking place. TH highlighted the purpose of the EMF is to assist in decision making and to provide information to GDACEL such that the processing of development applications is facilitated. The EMF will guide development, especially taking into consideration the economic growth in the Gauteng province.

TH expressed concern regarding urban sprawl, specifically in some areas of Gauteng, including the Quadrant. Urban sprawl is also affecting the west of Kungwini Local Municipality. It was indicated that GDACEL would be reluctant to

grant authorization for development applications in these areas, due to their pristine environment.

TH mentioned that South Africa is only left with 12% arable land, of which 4% is irrigable and therefore high potential agricultural land must be conserved. TH mentioned that this has implications on change in land use applications within the quadrant. The EMF will be an essential and appropriate tool to assist in making appropriate decisions regarding developments in the study area.

A wealth of information was collected and used to compile the draft EMF, which was placed on SEF's website for stakeholders to review. Ms Stephanie Koch (SK), the project manager from SEF, was introduced to present the findings of this report.

3. PRESENTATION

SK welcomed everyone, and introduced SEF. SK explained that GDACEL identified the need for the EMF and SEF was appointed to compile the EMF report for the N 1/R 21 Quadrant. Data was collected from various sources, and presented in the Status Quo Report. Subsequently, multi-criteria analysis was undertaken from this data, which formed the basis for theirs and controlling areas of the EMF report.

SK mentioned that the presentation would summarize the information in the draft reports, which had been reviewed by the steering committee. (*Refer to Appendix 2 for the presentation*).

4. DISCUSSION SESSION

TH opened the floor to questions and comments.

Comments / issues raised by stakeholders

* *Herman Joubert*

The following issues / comment were raised by Mr Joubert:

- Lack of GDACEL engagement with stakeholders.
- The planning of the N 1/R 21 EMF was not integrated with that of the Local Authorities and the N1/R21 Forum.
- Multi criteria analysis is complex and does not always give the correct answers. A Geographic Information System (GIS) does not consider the expectations of individuals and the landowners' site-specific knowledge of the area.
- The information presented is a land use plan, which conflicts with statutory land use plans and the Integrated Development Plan (IDP) for the area.
- Some land uses and built – up areas have been incorrectly classified on the control areas maps. Detailed planning therefore, contradicts what is currently on the ground (i.e. Tembisa township and the Bondev property).

- The Gauteng Spatial Development Framework (SDF) indicates this area as the economic core of Gauteng Province. The assessment of economy and environment must therefore be in equilibrium.

★ *Peter Copley*

- There are not enough roads that run in an east-west direction within the Quadrant.

★ *Jan Zeederberg*

- Adjacent land uses are different to control zones.
- Detailed planning contradicts what is currently on his property.
- Highlighted that a Record of Decision (RoD) was obtained and contained approval for the Bondev property to be developed with the conditions that the creation of two core nature areas be developed in the pristine grassland for the enhancement of biodiversity. This decision is in conflict with the EMF findings.
- Notification of meetings and documents has been inadequate throughout the process.
- Inadequate comment period on the final draft of the EMF report.

Response by TH

Stakeholder engagement with GDACEL is necessary for site-specific evaluations, as the RoD on a development will be influenced by the information provided to GDACEL. Thus, providing more information could be to the benefit of the developer.

Coordination at provincial level is regarded as very important and has improved significantly. According to GDACEL's statistics and analyses, the study area is experiencing a number of impacts from new developments. Most of the development applications are based on the desires of the applicant / landowners, without taking the natural state of the environment into consideration.

This EMF study will inform previous decision support tools, such as the urban edge, IDP, etc., in order to correct previous misconceptions. Thus, the work undertaken by SEF, as well as the process should not be disregarded, as it will be essential for decision-making.

The urban edge is not a rigid line but a decision support tool, which should be informed by the EMF study. The EMF is informed by valid analyses, unlike the IDPs and LDOs, which did not take into account the natural resource base. What makes sense in the decision-making, is an analysis on the natural resource base as well as the opportunity cost of using land for a particular purpose. For example, the grassland biomes have been threatened due to development pressure and cultivation. The areas where mistakes have been made need to be identified and corrected.

It is crucial that the preservation of agricultural land within the Quadrant is addressed. The Irene Agricultural Research Council (ARC), which is a national asset, not only a provincial asset, it is an important breeding station south of the Sahara. Although the ARC is situated on low potential agricultural land and within the urban edge, it is highly important to the economy.

TH stated that the EMF process is not static and therefore will change in the future. It is important for the public to understand government's approach and therefore the EMF should be regarded as a guideline tool for developers, as well.

GDACEL apologized for the lack of direct engagement with stakeholders. GDACEL's mandate was to ensure compliance with the National Environmental Management Act, which states that, a balance and integration of social, ecological and economic issues are to be investigated.

GDACEL, in association with the Departments of Roads and Transport, Provincial and Local Government and Housing are currently working on a cost-benefit analysis, which will give financial answers on the consequences of densification issues within Gauteng. GDACEL promotes densification and a decrease in urban sprawl. There is no literature in South Africa that has taken into account mixed income residential land use, which is a complex debate that will require public input.

Regarding the issue of transport, GDACEL has discussed the proposed road alignments in Gauteng with Gautrans. Outcomes of these discussions indicated that the feasibility of changing specific alignments, need to be addressed.

GDACEL is aware of the N1/R21 forum, which will not be disregarded in future decision making.

Adding to the response by TH, Lize Bothma (LB) mentioned that there are few agriculturally viable sites in the Quadrant. Buffer zones around high agricultural land serve to reduce the pressure of residential encroachment. It is therefore important to establish corridors, in order to protect the agricultural land.

Ms Ainsley Simpson (AS) added that the EMF study identifies the macro-landforms in the quadrant, which will still require site-specific investigations.

Comments / issues raised by stakeholders

*** *Henry van der Byl***

- Notification of the final presentation was too short.
- Comment period was inadequate, as the critically important document is quite complex.
- Disappointed with the content of the draft report, which does not indicate the balance of social and economic issues.
- It will be logical to develop a tool that will be reasonable and sustainable.

- The Status Quo Report is satisfactory. However, the process was unsatisfactory, as it has not produced a workable document.
- The stakeholder engagement was unfair, as there was no way that stakeholders could directly engage with the client (GDACEL).
- Integration with local authority plans such as the IDP was ignored.
- The map depicting the roads does not indicate the proposed roads.
- The planning processes of the provincial authorities run in isolation, i.e. Gautrans proposed road network and GDACEL's proposed ecological corridor.
- Ecological and agricultural control areas are not fairly balanced with the rest of the Quadrant. The inclusion of these control areas will inevitably promote urban sprawl outside of the urban edge.
- Sustainability was not addressed. There is also no importance rating for sustainability.
- The methodology used indicates that the importance ratings were determined with the aid of a Geographic Information System (GIS), which cannot adequately provide for the complexities of the area.
- The public participation with regards to the social importance rating was flawed. Areas that contained high importance rating were in reality inaccessible to the public, as there was little to no response in certain areas and, therefore, non-representative of the Quadrant.
- The geotechnical importance rating was not comprehensively done, as the detailed geotechnical information provided to SEF by landowners was not used.
- Large portions of land close to the road fall into the ecological control area, which is not feasible.
- How could natural areas not have an economic value assigned, as this area falls within Gauteng's economic triangle?

★ *Kallie Erasmus*

- Fundamentally, the process for the "Do's and Dont's" in the control areas is not logical and the draft report was unsatisfactory.
- The EMF is based on large inaccuracies in the data and can only work practically if the initial data is correct.
- A social analysis is essential. The comparison of and the balance between social and environmental aspects are crucial.
- The City of Tshwane recently advertised for an EMF study for its metropolitan municipal area. Where does this N1/R21 EMF fit into the picture?
- The legal standing of the document is not understood. It contradicts local authority documents, is unconstitutional and does not take into account the Development Facilitation Act (DFA).

★ *Christa Custers*

- As represented in the draft report, the agriculture or ecological control areas will result in changes in the urban edge.

- The purpose of the EMF is to identify conflicts between developers and the environment as outlined in the Status Quo Report. However, this is lost in the control areas and will result in a conflict of issues.
- The agricultural and ecological control areas are confusing. They do not indicate the critically important areas that need to be conserved. For example, Midrand Estates grassland is linked to Rietvlei, which is not represented in the control areas map.
- The draft report indicates various mixed land uses. The following issues should be clarified in this regard:
 - What percentage of change can we allow in the study area, since no golf course developments are allowed?
 - It is essential to compare both large-scale and small-scale maps – detailed studies should not be lost in the control areas; and
 - Who takes responsibility for maintaining the ecological land, should it not be the responsibility of the authorities and the developers.
- The densities of the units of proposed development will be different, i.e. densities in areas underlain by dolomite should be lower than that of other ecological areas.

★ *Dudley Garner*

- Based on previous comments, the information used in the EMF seems to be inaccurate and therefore:
 - Cannot be used as a land use plan;
 - Can be a decision-support tool, only if the information is accurate.
- The comment period on the draft report was too short.
- Requires that the draft report be placed in the libraries.

★ *Jack Prentice*

- The strategic environmental management policy is unconstitutional.
- The draft report is bordering on social engineering due to, for example, the exclusion of golf course developments/security estates and low-density developments.
- Must remove references to high density and high income as this is not the mandate of GDACEL.

★ *Neville Crosse*

- The maps presented do not indicate the rivers or ridges of the study area.
- The study boundary divides Randjesfontein into two communities. What happens to the half that falls outside of this study?

Response by TH

The purpose of the meeting is to engage on the content of the report. The desires of the developers, landowners may not be reflected in the EMF, which investigated the area in a holistic manner with input from various expertise. The IDP and urban edge spatial planning tools are essential. However, these tools need solid foundations in order to guide and make decisions. There are some

contradictions in terms of information provided in some of these tools. For example, land within Kungwini indicated as commercial but contained high agricultural potential, which as stated before must be conserved.

The environmental aspects could not be viewed in isolation from the social and economical aspects. Sustainability entails integration of these aspects. GDACEL is working hard to produce the best results. Financial constraints can, however, be an obstacle.

The draft EMF does consider current and future developments. The concerns regarding the mixed land use, and the integration of social and economic issues, will be taken into account.

Referring to Ms Custers question on authorities assisting financially with the conservation of private land is debatable. Should the Department then support farmers and others industries requiring assistance?

In terms of the legality of projects like these, GDACEL believes that they are acting legally, however GDACEL and other government authorities can do better in terms of engagement with the public and local authorities.

Referring to the public participation process, TH indicated that there have been a number of public meetings regarding the EMF. Officials from GDACEL were in attendance at these meetings and LB attended the recent Open Day. However, it is not possible for them to meet each landowner / stakeholder individually. An apology on behalf of GDACEL was given regarding this issue. It was suggested that consultation through detailed written comments was essential. Therefore, the review of the draft EMF was extended to 30 March 2004. However, although comments will be noted, GDACEL's response may not be favourable.

LB responded to Mr Crosse regarding Randjiesfontein. She stated that the road network was utilised as the logical boundary for the Quadrant. However, EMFs were being conducted for other municipalities and that these will fit into the greater picture for Gauteng.

Comments / issues raised by stakeholders

★ *Cobus Muller*

- Clear answers and clarification are required with regards to the road planning of the area.

★ *Adrian van der Byl*

- The Olivenhoutbosch road is incorrectly indicated on the maps.
- SEF accommodated several issues from stakeholders, and the time pressure is understandable.
- Appreciate that GDACEL has been proactive.

★ *Liana Strydom*

- City of Tshwane should regard the study area as part of its metropolitan area. Their involvement and point of views is essential.
- The EMF was approached from a purely ecological point of view and should be regarded as an ecological tool and not as a policy.
- The spatial planning recommendations are not to be extended to land use planning.
- The Department of Provincial and Local Government needs to be integrated into the process.
- The EMF is currently a land use plan rather than a decision support tool. Open spaces are said not to contribute to the economy and therefore given a non-applicable category. Questions should rather be asked as to how could these spaces be utilized to contribute to the economic growth of the quadrant. This does not mean that all spaces must be utilized. In the context of the development pressures in the quadrant, a much higher weighting must be given to uses that are going to contribute significantly to the GDP of the quadrant.
- It is anticipated that these potential fatal flaws will be carried through to these statutorily binding documents. *"The incorporation of this policy into the Integrated Development Plans (IDP) and Regional Spatial Development Frameworks (RSDF) of the local authorities within the Quadrant will ensure compatible land use and encourage sustainable development within the Quadrant. This will promote and support the sustainable use of available resources within the Quadrant and, in turn, protect and improve the environment for present and future generations."*(Policy doc, pp 1). If this is the case, then it will significantly inhibit developers from developing a potentially viable development that may contribute to the economic growth of the quadrant.
- The administrative guidelines in terms of the economic rating is far too vague and have no standing to assist in the evaluation of development proposals, especially when the economic factor is mentioned timelessly throughout the policy and the EMF. It is possible to try and grade development proposals with potential economic benefits and their relevant contribution to specific sectors within the quadrant. This may assist in reviewing applications submitted to the Department.

Response by TH

Gautrans and the Department of Provincial and Local Government, including Tshwane, have been part of the steering committee. The EMF will be a broad tool, which will focus on various issues, including spatial planning.

The EMF has covered environmental aspects, and it therefore does not only focus on ecological aspects.

TH expressed that Ms Liana Strydom was merely expressing her own opinions and that local authorities do not have all the expertise to exercise authority over GDACEL in this instance.

Although the EMF is in the final stages, stakeholders still have the opportunity to engage with GDACEL in the future with regards to their individual land concerns.

5. CONCLUSION

TH indicated that SEF has done a good job. TH announced that the comment period on the draft EMF will be extended to 30 March 2004, as the initial comment period was regarded as too short.

TH thanked everyone at the meeting, and indicated that comments were valuable. She apologised for the fire at GDACEL's offices, which caused delays in responding to applications. She reminded all that the documents would be placed in the Library as soon as possible. She invited stakeholder to see her regarding any further comments / issues before departing the meeting venue. The meeting was officially adjourned at 19h55.

Appendix 1: Attendance Register

Attendance Register - 17 March 2004: Final Presentation N1/R21 Quadrant Environmental Management Framework			
Contact Person			Name of Organisation / Company
Title	Name	Surname	
Mr	A.	Van der Byl	Irene Estate (PTY) Ltd
Ms	Ainsley	Simpson	Strategic Environmental Focus
Ms	Ainslie	Smith	Irene X2 Resident
Ms	Audrey	Chadi	Gauteng Department of Agriculture, Conservation, Environment and Land Affairs
Mr	Danie	Verwey	Ekurhuleni Metro
Ms	Barbara	Drower- Copley	Irene Home Ext
Mr	Bill	Price	Hennops River Action Committee
Mr	C.J.	Zwiegelaar	Arc Irene
	C.J.H.	Pretorius	Gautrans PWV
Ms	Christa	Custers	Eco Assessments
Mr	Cobus	Muller	Private
Mr	Corne	Botha	ECB
Mr	D.	Garner	Gautrans PWV
Mr	Dean	Van Rooyen	Private
Ms	Elizabeth	Botha	ECB
Mr	Eras	Venter	Landowner
Mr	Eugene	Gouws	Index
Mr	F.	Van Rensburg	Ekurhuleni Metro
Mr	G.	Erasmus	EBB Consulting
Mr	G.J.	Redelinghuys	Arc Irene
Mr	Gerard	van Weele	Gauteng Department of Agriculture, Conservation, Environment and Land Affairs
Mr	H.	Van der Byl	Irene Realisation Company
Mr	H.	Le Roux	Doringkloof Inwonersvereniging
Mr	Henk	Daling	Daling De Lange & Van Tonder
Dr	Herman	Joubert	Tech TQ (Representing CTMM)
Mr	Ian	Jameson	Planpractice
Ms	Ida	Botha	Kungwini Local Municipality
Mr	J.	Malan	Mabron Farming Enterprises
Mr	J.	Warmenhoven	J.D.I.
Mr	Jack	Prentice	Centurus (PTY) Ltd
Mr	Jan	Zeederberg	Bondev Developments
Mr	Johan	Meyer	HCE Meyer Trust
Mr	Jon	Busser	Urban Dynamics
Ms	L.	Gregory	Bokamoso
	L.	Feneysey	Kungwini Local Municipality
Mr	Leon	Bradley	Wildlife & Environment Society of SA
Ms	Liana	Strydom	City of Tshwane

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Contact Person			Name of Organisation / Company
Title	Name	Surname	
Ms	Lize	Bothma	Gauteng Department of Agriculture, Conservation, Environment and Land Affairs
Mr	Loftus	Viljoen	Loftus Viljoen Attorneys
Ms	Louisa	Van der Linde	Rekord
Mr	Louw	Bezuidenhout	Ward Councillor - Ward 70
	M.	Psarrakis	Private Twin Rivers
Ms	Madeleine	Oosthuizen	City of Tshwane
Ms	Mirenda	Moremedi	Strategic Environmental Focus
Mr	N.	Cullinan	Sunlawns AH
	N.	Korsman	Private
Mr	N. J.	Crosse	PVT
Mr	Nic	Claassen	Ward 65
Ms	Nicola	Read	Strategic Environmental Focus
Ms	Nikki	Van Rooyen	Private
Ms	P.	Cullinan	Landowner
Mr	P.J.	Copley	Private (DBSA)
Mr	Philip	Weyers	DKOA
Mr	Pirate	Ncube	Gauteng Department of Agriculture, Conservation, Environment and Land Affairs
Ms	R.	Landman	Centurion Metro
Ms	Rajeshree	Bhana	Gauteng Department of Agriculture, Conservation, Environment and Land Affairs
Mr	Riaan	Botma	Bondev Develpments
Ms	Rita	Aucamp	Ward 47 Councillor
Mr	S.	Cullinan	Sunlawns AH
Ms	Sonja	Meissner-Roloff	Plandev
Ms	Stephanie	Koch	Strategic Environmental Focus
Ms	Susan	Abell	Strategic Environmental Focus
Mr	T.	Phakathi	City of Johannesburg
Mr	T.	Widdicombe	Sterkfontein Bricks
Mr	T.	Pretorius	Plan Associates
Mr	T.M.	Serfontein	Doringkloof Residents Association
Mr	Trevor	Glass	Centurus (PTY) Ltd
Dr	Trish	Hanekom	Gauteng Department of Agriculture, Conservation, Environment and Land Affairs
Mr	Z.	Rowan	Twin Rivers HOA

Appendix 2: Presentation

For presentation please refer to SEF's website: www.sefsa.co.za