

From: "Shaun MacGregor" <shaun@ecoleges.co.za>
To: "JENNA LAVIN" <JLAVIN@sahra.org.za>
Date: 2013/02/13 10:13 PM
Subject: RE: Case ID 1489
Attachments: Motivation for Exemption from SAHRA.pdf; Appendix A.pdf; Appendix B.pdf; Appendix C.pdf; Appendix D-1.pdf; Appendix D-2.pdf

CC: "'Wihan Venter'" <wihan@endecon.co.za>
Good evening Jenna,

Kindly find attached a Motivation for exemption, as requested.

Yours sincerely,
Shaun MacGregor
ecoleges
083 981 1031

-----Original Message-----

From: JENNA LAVIN [mailto:JLAVIN@sahra.org.za]
Sent: 06 February 2013 11:11 AM
To: Shaun MacGregor
Cc: 'Wihan Venter'
Subject: Re: Case ID 1489

Dear Shaun,

Thank you for some of the clarification provided by your email. Please accept my apologies for the mistake in paragraph 4, "mining" should read "development".

SAHRA's responsibility in the NEMA process is established in terms of Section 38(8) of the NHRA which essentially requires that SAHRA must be satisfied that no significant heritage resources will be impacted by the proposed development.

Unfortunately, and as is often the case, the information provided in the BID is insufficient for this purpose. SAHRA's approach to obtaining the heritage information required is to request an assessment of all heritage resources that may be impacted by the proposed development, including archaeology, palaeontology, structures older than 60 years, places of cultural significance and burial grounds or graves, and an assessment of their significance.

The images provided thus far are also insufficient for our purposes as they do not provide any visual contextual information regarding the placement of the proposed development. The BID provides no indication of the geological substrates that may be impacted by the development and thus SAHRA is unable to determine if any significant palaeontological heritage will be impacted by the proposed development. Often, informal burial grounds are situated along side existing roads. No assessment of alternatives has been provided.

The heritage report requested in the letter sent to you yesterday will provide the above very necessary information in order for SAHRA to satisfy its mandate in terms of Section 38(8) of the NHRA. To clarify, SAHRA is not

requesting three studies, but rather is requesting that information that satisfies the above is submitted either in the form of one heritage impact assessment or in the form of an archaeological study and a palaeontological study.

If you are of the opinion that you can provide SAHRA with sufficient information to satisfy the SAHRA mandate without contracting specialist studies, please provide this information along with a letter requesting exemption from conducting the requested specialist studies.

I hope that this answers your query. Please feel free to contact me further should you require any further clarification or information.

Kind regards,

Jenna Lavin

Heritage Officer
Archaeology, Palaeontology and Meteorites Unit South African Heritage
Resources Agency

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>>> "Shaun MacGregor" <shaun@ecoleges.co.za> 2013/02/06 08:54 AM >>>
Good morning Javin,

Case ID 1489

We sincerely appreciate your comments in respect of the proposed project (17/2/3N-210). Kindly refer to my response below.

Second paragraph regarding heritage resources refers.

I have attached evidence from one of the bridges located on the P127/7 showing that the road was originally constructed or completed in 1970. Consequently none of the structures or infrastructure associated with the Road P127/2 are older than 60 years and do not qualify as heritage resources.

Section 38(8) of NHRA refers.

Is a Heritage Impact Assessment required irrespective of the nature of a proposed project? With the exception of some widening (<2.54m) along the proposed 830m long climbing lane, rehabilitation activities will not exceed the shoulder break point or the toe of the fill. In other words, activities are mostly confined to the existing footprint.

The only deviation from the aforesaid would be the proposed traffic diversion upstream of culvert C7 when it is replaced. However, we have subsequently proposed an alternative methodology of construction to avoid the construction of the diversion through a watercourse and maintain traffic flow on the existing road and shoulder.

4th paragraph re proposed mining refers.

No mention was made of mining and mining on heritage resources will not be undertaken. There are no structures older than 60 years.

The impacts will be on an existing footprint or previously disturbed areas within the existing road reserve. Kindly advise if it is still necessary to undertake a Heritage Impact Assessment, an Archaeological Report and a Palaeontological Study taking the aforementioned information into account.

Yours sincerely,
Shaun MacGregor
ecoleges
083 98 11 031

-----Original Message-----

From: JENNA LAVIN [mailto:JLAVIN@sahra.org.za]
Sent: 05 February 2013 03:57 PM
To: info@ecoleges.co.za; shaun@ecoleges.co.za
Subject: Rehabilitation of P127/2

Dear Shaun,

Please find attached the comment from SAHRA in response to the BID emailed to this office on 15 January 2013.

Please find this case on SAHRIS at
<http://www.sahra.org.za/content/national-road-n4-provincial-road-d914-mpumalanga>

Kind regards

Jenna Lavin

Heritage Officer
Archaeology, Palaeontology and Meteorites Unit South African Heritage
Resources Agency

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