

NRA01/Let SAHRA Jun10

4 June 2010

Ms Mariagrazia Galimberti Archaeology, Palaeontology & Meteorite Unit South African Heritage Resources Agency 111 Harrington Street Cape Town, 8001

Dear Mariagrazia

ENVIRONMENTAL IMPACT ASSESSMENT (EIA) FOR THE PROPOSED N2 WILD COAST TOLL HIGHWAY – SAHRA COMMENTS

Your previous correspondence, dated 12 April 2010, regarding the above matter refers. This letter serves to obtain clarification on certain issues raised in the mentioned correspondence, in particular in light of a meeting held with yourselves on 11 March 2010, the heritage specialist reports (Binneman, 2002; eThembeni Cultural Heritage, 2008), correspondence received from Len van Schalkwyk dated 18 March 2010 and the Final Environmental Impact Report (EIR) on the proposed project.

The main aspects (in italics) linked to each of the key issues raised in your correspondence are presented below, with responses provided by ourselves and SANRAL, as appropriate.

1. GREENFIELD SECTIONS

It is stated that SAHRA "trusts" that the final alignment was already finalised when both Johan Binneman (2002) and Len van Schalkwyk (2008) visited the 114.5 km of sections 4 to 6.

As stated by SANRAL at the meeting held on 11 March 2010, the greenfields alignment was finalised in 2002 with the previous EIA and the road reserve proclaimed in 2004 (**see attached Government Notice No. 583 of 7 May 2004**). Furthermore, Binneman's (2002) report itself indicates that "many potentially sensitive archaeological heritage areas in different environments were visited <u>along the proposed route</u>"[our emphasis]. In his correspondence of 18 March 2010, Len van Schalkwyk also confirms that "the preferred route and the alternatives were assessed during the HIA and were also assessed during the previous EIA by Binneman *et al*".

2. "WALK THROUGH" AND MONITORING

It is stipulated that a "walk through and monitoring by a professional archaeologist, familiar with the cultural and historical sequence of the Eastern Cape, must be carried out during the land acquisition process preferably after vegetation clearing".

It should be noted that (at the above-mentioned meeting) SANRAL offered to employ a heritage professional during the on-site land acquisition process to undertake a **detailed scan** (rather than a "walk through") of the greenfields road reserve and also to advise on the relocation of existing graves, since 17 graves have been identified in the detailed land audit process to date. However, it should be noted that no vegetation clearing would have occurred, or can occur, at this stage. Any clearing of vegetation would be a particularly sensitive issue from social, ecological and construction perspectives, and will only commence after completion of the processes of land acquisition, resettlement and re-burial (as applicable), and moreover only once actual construction of a greenfields road section commences.

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CCA ENVIRONMENTAL (Pty) Ltd • Consulting Services

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SANRAL has offered that the findings of such a detailed scan be consolidated in a supplementary report which can be used to provide further detail on the required heritage management and mitigation measures which should be applied during the construction phase (see Item 3 below).

3. MONITORING BY A PROFESSIONAL ARCHAEOLOGIST DURING ALL EARTHMOVING

Particularly sensitive archaeological areas in the greenfields areas, as identified in the heritage specialist studies, are highlighted, while it is also stated that it should not be implied that other areas might not be as archaeologically important. It is then stipulated that monitoring must be pursued during ALL earthmoving events.

SANRAL has indicated that this would be impracticable, dangerous and in contravention of current Occupational Health and Safety legislation; SANRAL cannot allow non-construction personnel on site.

CCA advises that the supplementary report, that would emanate from Item 2 above and that would have confirmed the identification of potentially sensitive areas, be used to provide guidance on any areas requiring further monitoring by a professional archaeologist during construction. Len van Schalkwyk's correspondence of 18 March 2010 also indicates that the provisions of the Environmental Management Plan (EMP) in respect of the protocol for monitoring for, and recovering of, archaeological resources shall include the induction and training of the appointed Environmental Control Officers (ECOs) in the identification and monitoring/recovery protocols for heritage resources including unmarked graves. The heritage specialist report (eThembeni Cultural Heritage, 2008) and Final EIR recommend ongoing monitoring for heritage resources while construction activities proceed.

4. SECTIONS 1 - 3 OF THE PROPOSED PROJECT: ARCHAEOLOGICAL IMPACT ASSESSMENT (AIA)

The view is expressed that since "not enough attention has been paid to these sections", the "road alignment had not yet been decided" and "not enough information has been given about this 297 km section of the road", an AIA is required along the finalised route from Gonubie Interchange to Ndwalane. Furthermore, it is stated that "no detailed maps (1:50 000) have been made available for section 1 to 3" and that "SAHRA takes note that most construction works will take place within the existing road reserve, but widening of the road, construction of community access roads and over- and underpasses might have an impact on heritage resources, which needs to be assessed".

According to SANRAL, these existing roads were completed in the period between 1948 and the 1960s and have undergone routine maintenance and upgrading ever since. Furthermore, this matter was not raised in any previous discussions, nor in your previous correspondence, except for a stipulation in your submission of 14 December 2010 requiring that a palaeontologist be asked, before the project commences, what monitoring etc. may be needed for any road cuttings that were highlighted as sensitive. SANRAL also reiterates that all upgrades, interchanges, etc. would be effected where there are already existing roads and accesses.

It should also be noted that the heritage specialist report (eThembeni Cultural Heritage, 2008; section 3.1) and Final EIR (section 6.4) provide an adequate description and summary, respectively, of the heritage resources identified in these road sections. Importantly to note, too, is that the heritage specialist report refers to the decision "yet to be finalised as to the route alignment <u>through or around Idutywa and Butterworth</u>"[our emphasis].

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Furthermore, the Final EIR (sections 7.2.6, 8.2.6 and 9.2.6) confirms that "[t]he only key potential heritage impact identified along this section of the proposed toll highway relates to the presence of graves". Also note that relevant maps, plans and photographs relating to this section are provided in Figures 4.1 to 4.11 of the Final EIR.

In light of the above, it is unclear why this requirement was included in your last correspondence.

5. BURIAL GROUNDS AND GRAVES

Reference is made to the fact that permitting is required in terms of the relocation of (protected) graves that are 60 years or older situated outside a formal cemetery or burial, and that a 60-day public consultation process would need to be undertaken as per the requirements of the heritage legislation. It is also stated that the AIA requested for sections 1-3 of the finalised route should be sent to the Burial Grounds and Graves (BGG) Unit as well.

SANRAL reiterates, as mentioned at the meeting held on 11 March 2010, that it is aware of all its legal obligations. Furthermore, the EMP would include all relevant heritage impact management measures, together with identification of responsible parties, in order to ensure compliance with the relevant legislative requirements and relevant heritage management and mitigation measures recommended in the Final EIR.

We would appreciate you providing further clarification of the key issues discussed above. Thanks in anticipation.

Yours sincerely

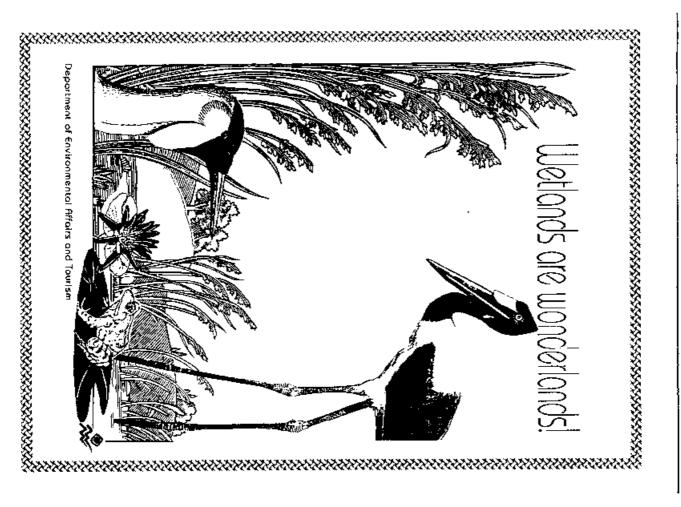
Fuad Fredericks Pr.Sci.Nat., CEAPSA CCA ENVIRONMENTAL (Pty) Ltd

Encl.

cc Ron Harmse (SANRAL)

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GOVERNMENT NOTICES

NATIONAL DEPARTMENT OF TRANSPORT NASIONALE DEPARTEMENT VAN VERVOER

7 May 2004

THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED

No. 582

DECLARATION OF EXISTING PROVINCIAL ROADS P84-1, P94,Z AND DISTRICT ROAD 679 AS NATIONAL ROADS R5Z1 AND R5Z3: DISTRICTS OF POLOKWANE, SESHEGO AND SOUTPANSBERG

By virtue of Section 40(1)(a) of The South African National Roads Agency Limited and National Roads Act (Act No. 7 of 1998), I hereby declare the sections of Provincial Roads P94-1, P94-2 and District Road 679 from the intersection with Polokwane Western Bypass al Polokwane up to the Intersection with National Road N1 Section 29X at Masekwaspoort as described in the Annexure hereto, to be National Roads.

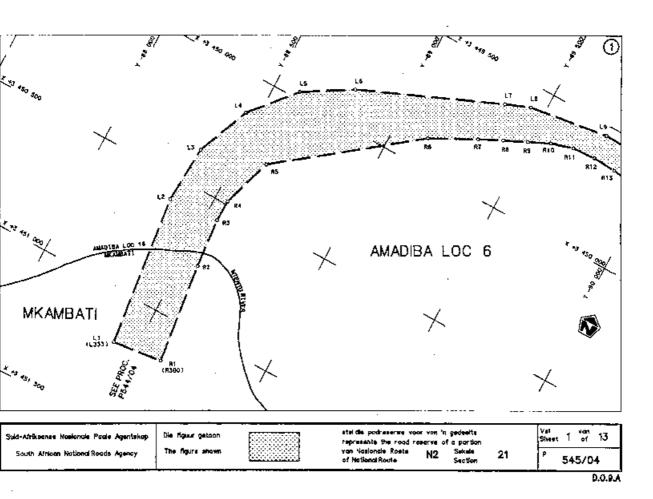
(National Roads R521 and R523; Polokwane --Vivo -- Masekwaspoort)

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ACTING MINISTER OF TRANSPORT

Contact details Tel: (012) 321-8931 Fax: (012) 325-5984 E-mail: infodesk@nlsa.ac.za	Physical address C/o Andries and Vermeulen Streets Entrance in Andries Street	The National Library of South Africa, Pretoria Campus PO Box 397 0001 PRETORIA	Contact	Gazettes We can provide photocopies	Looking for out of print issues of			60 No. 26330 GOVERNMENT GAZETTE, 7 MAY 2004
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THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED

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DECLARATION AMENDMENT OF N2 SECTION 9 BETWEEN TSITSIKAMA AND ELANDS RIVER

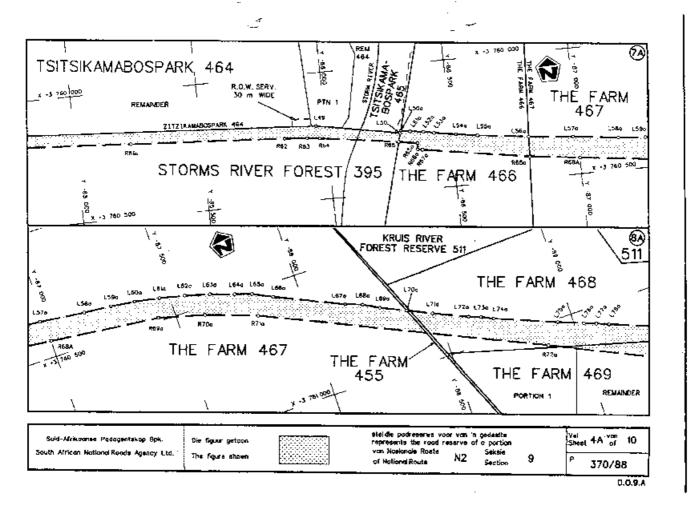
RECOMMENDED WORDING

AMENDMENT OF DECLARATION NO. 936 OF 1989, A PORTION OF NATIONAL ROUTE 2, SECTION 9, BETWEEN THE ELANDSBOS RIVER AND THE ELANDS RIVER, EASTERN CAPE PROVINCE

By virtue of powers vested in me by section 40(1) (b) of the South African National Roads Agency Limited and National Roads Act. 1998 (Act No. 7 of 1998) Literaby amend declaration No. 936 of 1989 by substituting sheets 4A, 5A and 6A for sheets 4, 5 and 6 of plan P370/88 and sheets 6A, 9A and 10A for sheets 8, 9, 10 and 11 respectively.

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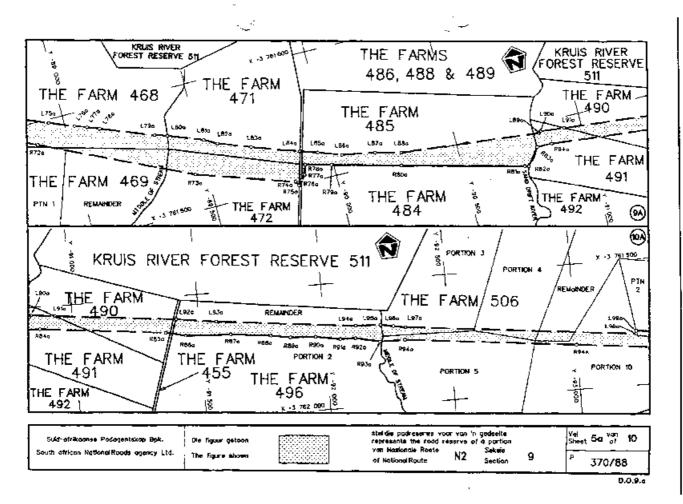
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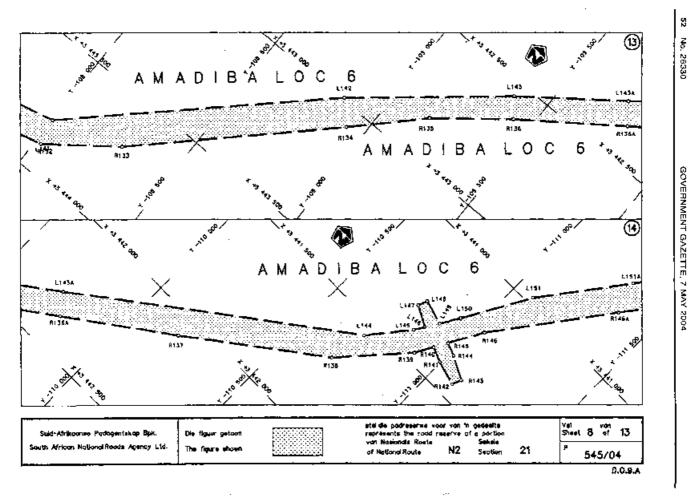


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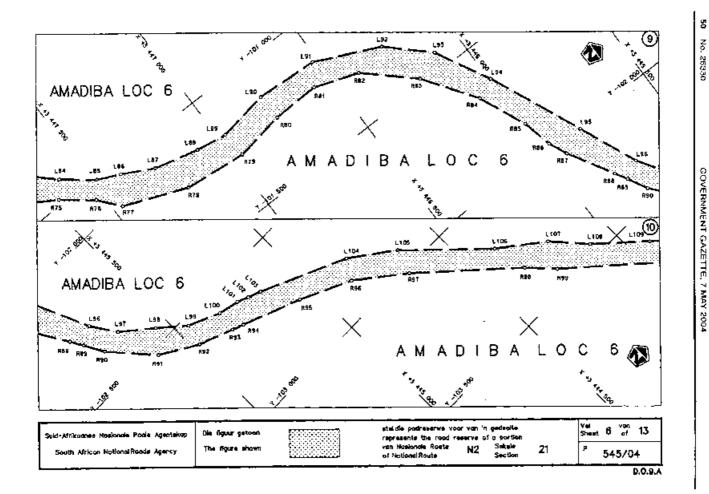
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THE SOUTH AFRICAN NATIONAL ROADS AGENCY LIMITED

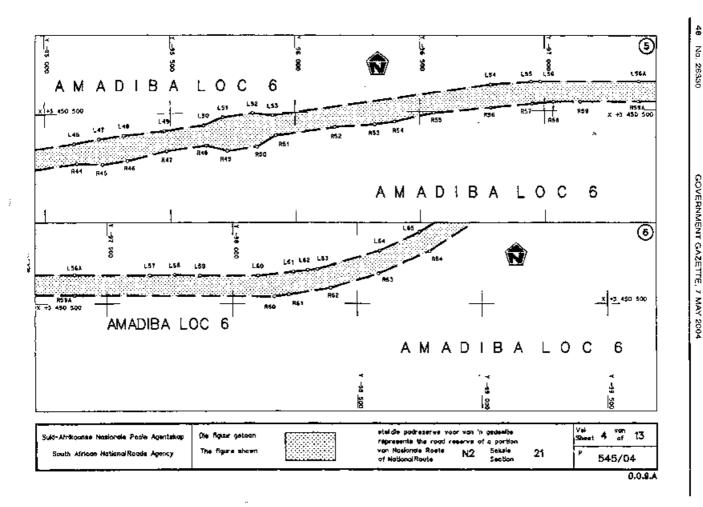
NATIONAL ROUTE 2: SECTION 18 TO 21 UMTATA TO MTAMVUNA RIVER: DECLARATION OF (I) EXISTING ROADS (II) SURVEYED ROUTES AS NATIONAL ROAD:

By virtue of the powers vested in me by section 40(1)(a) of the South African National Roads Agency Limited and National Roads Act, 1998 (Act 7 of 1999), I hereby declare (i) the portion of existing road being the R61 between Umfala and Port St Johns, and sections of Alexandra and Spigg Streats in Umtata as described in the Annexure hereto, (ii) the surveyed routs between the R61 at Ndwalane to Ntafufu River as depicted on the subjoined plan No. P543/04, (iii) the portion of existing road being the R61 between Ntafufu River and Lusikiskik as described in the annexure hereto (iv) the surveyed route between Lusikisiki and Mtamvuna River near the Wild Coast Casino as depicted on the subjoined plans P544/04 and P545/04, up to where it ends on the northem abutment of the bridge over the Mtamvuna River, to join with National Road R61, declaration 1322 of 1969 between Mtamvuna and Imbazana, to be a national road.

(N2: UMTATA TO MTAMVUNA RIVER)

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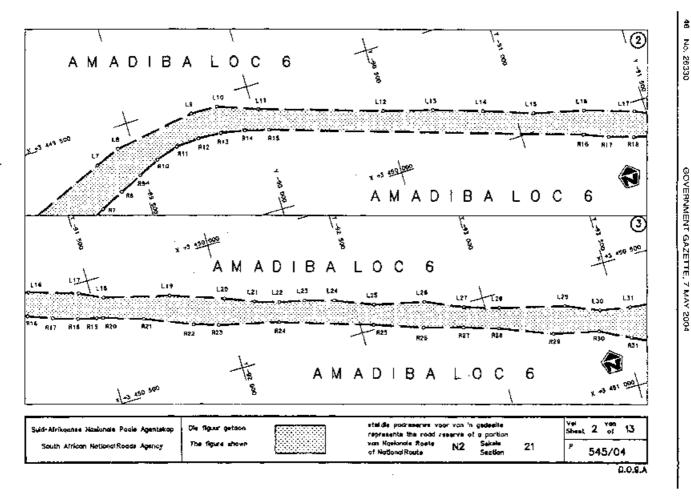
NASIONALE ROETE 2: SEKSIES 19 TOT 23 UMTATA NA MTAMVUNA RIVIER: VERKLARING VAN (I) BESTAANDE PAAIE (II) OPGEMETE ROETES AS NASIONALE PAD:

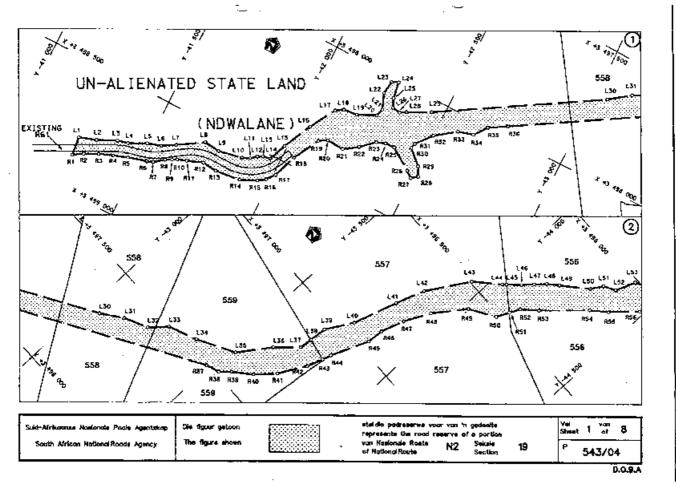
Kragtens die magte my verleen in terme van artikel 40(1)(a) van die Suld Afrikaanse Masionale Padagentskap Bapark en Nasionale Paate Wet, 1998 (Wet 7 van 1998), verklaar et hiermee (i) die gedeelte van bestaande pad bekend as die R61 tussen Umtala en Port St Johns, en seksies van Alexandra en Spigg Strate in Umtata soos beskryf in die bylaag hiertoe, (ii) die opgemete roete tussen die R61 vanaf Ndwalane tot Ntafufu Rivier soos aangetoon op die aangehegde plan No. P54,3/04, (iii) die gedeeltes van die bestaande pad R61 tussen Ntafufu Rivier en Lusikisiki soos beskryf in die aangehegte bylaag hiertoe (iv) die opgemete roete tussen Lusikisiki en Mtamvuna Rivier naby die Wilde Kus Casino soos aangetoon op die aangehegte planne P54404 and P545/04, tot waar dit eindig op die noordelike brughoof van die brug oor die Mtamvuna Rivier, om aan te stuit met Nasionale Roete R61, onder goewerments kennisgewing 1322 van 1989 tussen Mtamvuna and Imbezana, lot 'n Nasioale Pad.

(N2: UMTATA TOT MTAMVUNA RIVIER)

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WAARNEMENDE MINISTER VAN VERVOER

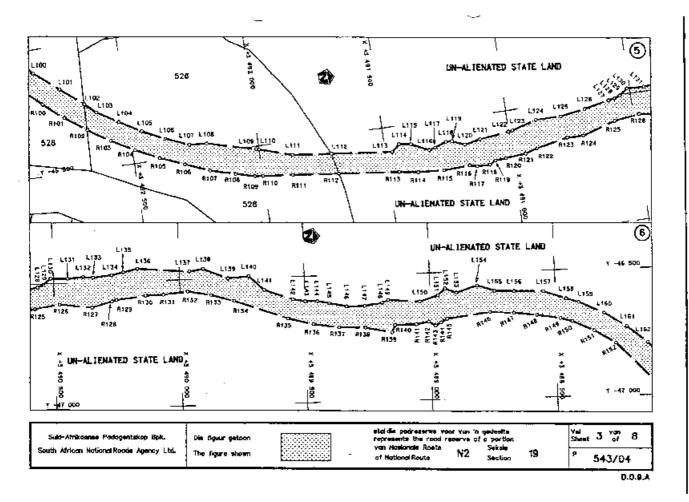




GOVERNMENT GAZETTE, 7 MAY 2004

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GOVERNMENT GAZETTE, 7 MAY 2004

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STAATSKOERANT, 7 MEI 2004

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GOVERNMENT GAZETTE. 7 MAY 2004

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No. 26330

STAATSKOERANT, 7 MEI 2004

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GOVERNMENT GAZETTE, 7 MAY 2004

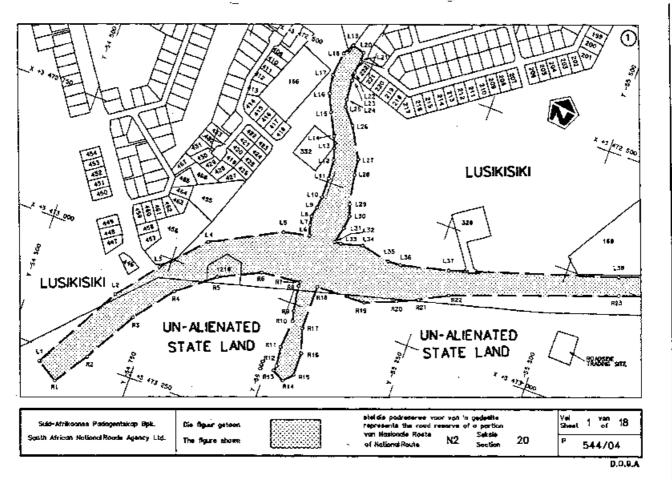
GOVERNMENT GAZETTE, 7 MAY 2004

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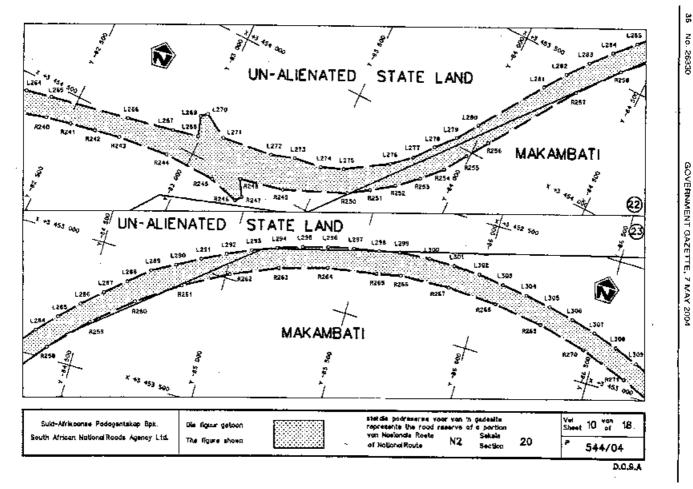
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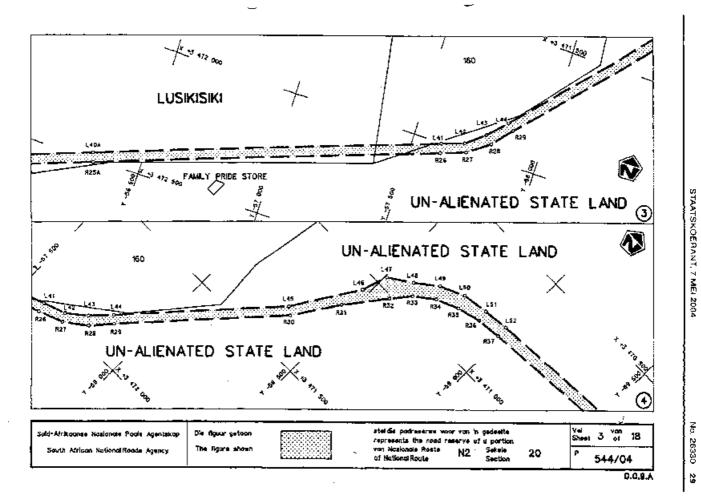


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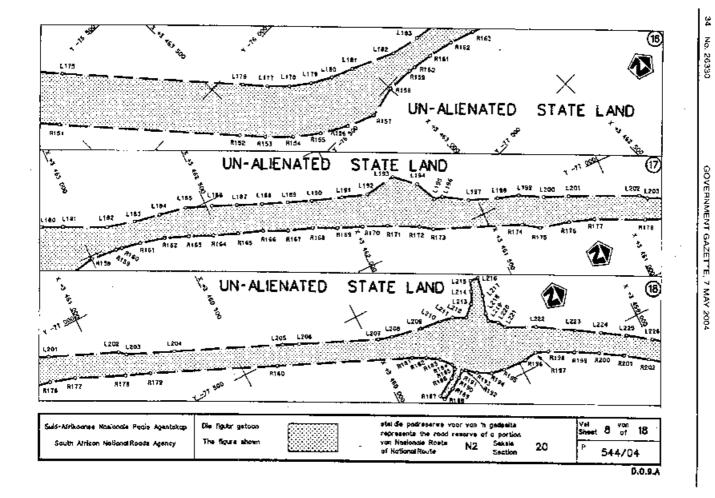
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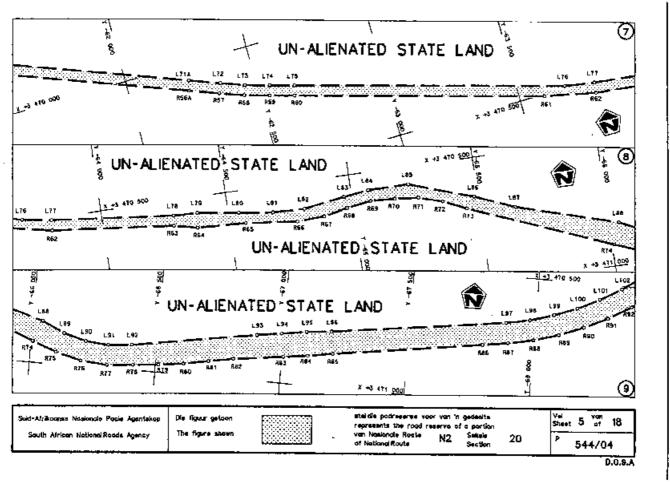




GOVERNMENT GAZETTE, 7 MAY 2004



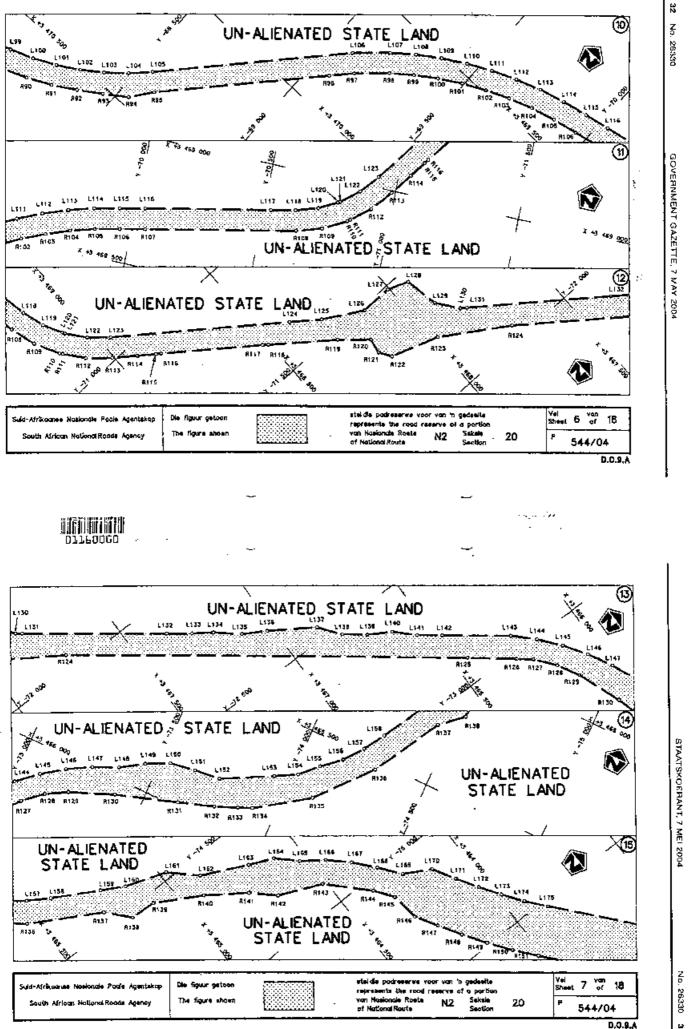


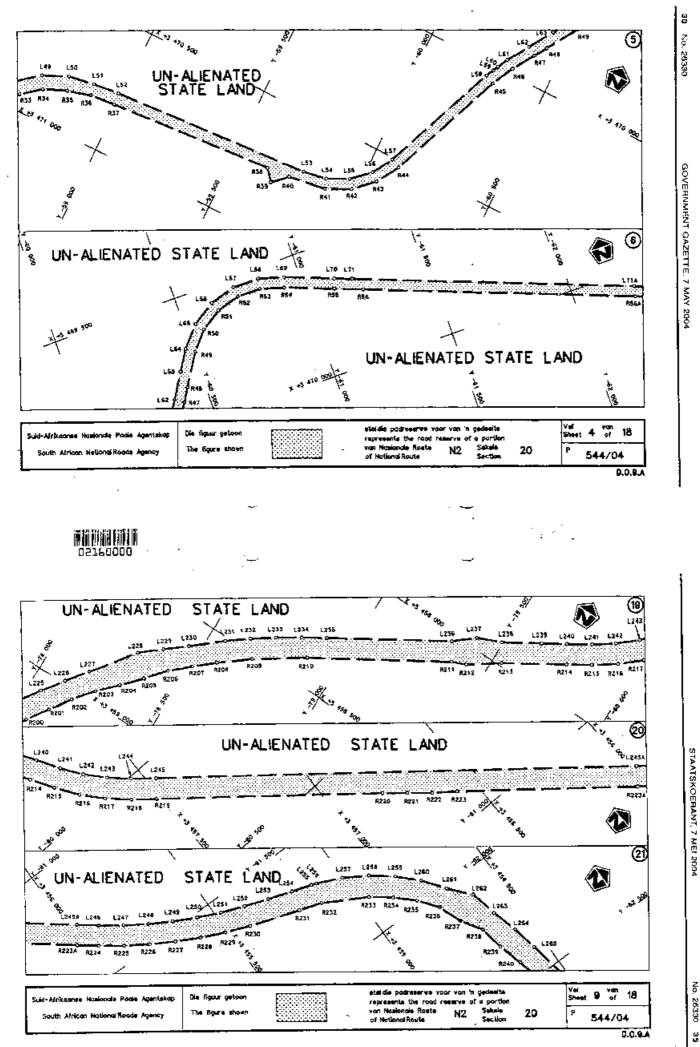


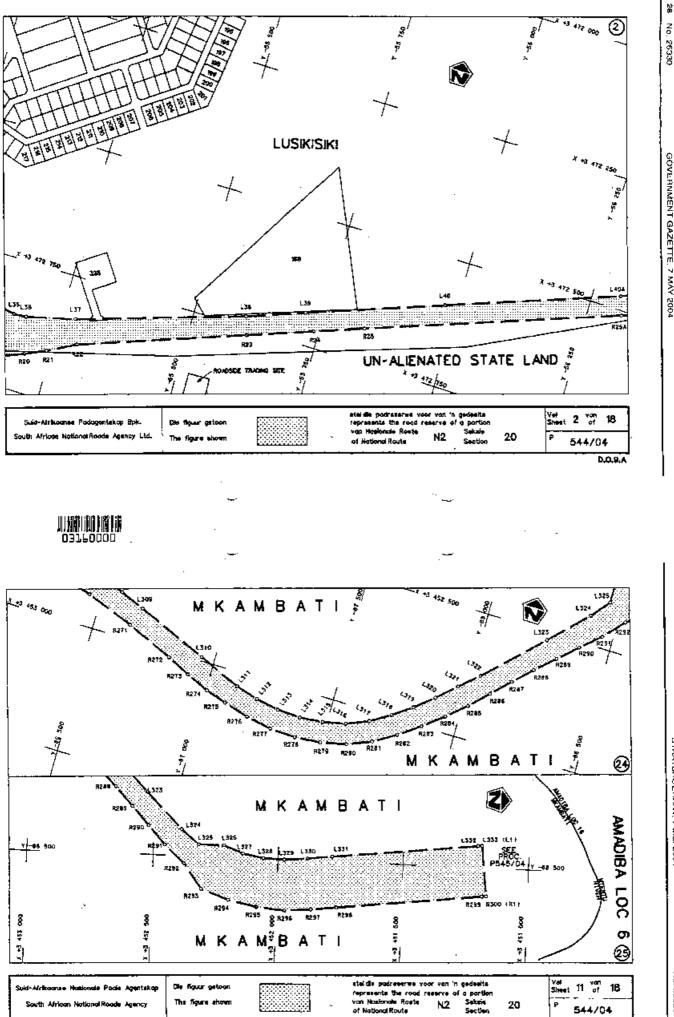
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GOVERNMENT GAZETTE, 7 MAY 2004

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LINKERKANT/LEFT HAND SIDE PADRESERWE KOÖRDINATE ||(|:)||:) 4&4&4&4&4&4&4 \$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$\$ 49 10 -19 غ 6.6 0.0 ч 8.6 -195 10-10 4-W ŝ × 84-964335-1923 4-964355-1923 79646696392 796946697-17985 7969468-149845 129868-49845 59052920 8015800 8015800 1 0 6.88 888 888 4000000-0 1010000 ភូមិ 29° R155 R155 R157 R157 Vel Sheet REGTERKANT/RIGHT HAND SIDE ROAD RESERVE CO-ORDINATES -48 å 놂 ون .4. 80 99 è. ġ ġ ŝ à Ê œ 615.1 623.2 387 868 712 <u>0</u> 846, 649. 787 391.15 4000 ون of ģ œ $\omega \omega$ 88 50 50 ъ 543/04 851. 565 763 108.09 920.65 920.65 -6-N сл UN -10 20 20 20

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GOVERNMENT GAZETTE, 7 MAY 2004

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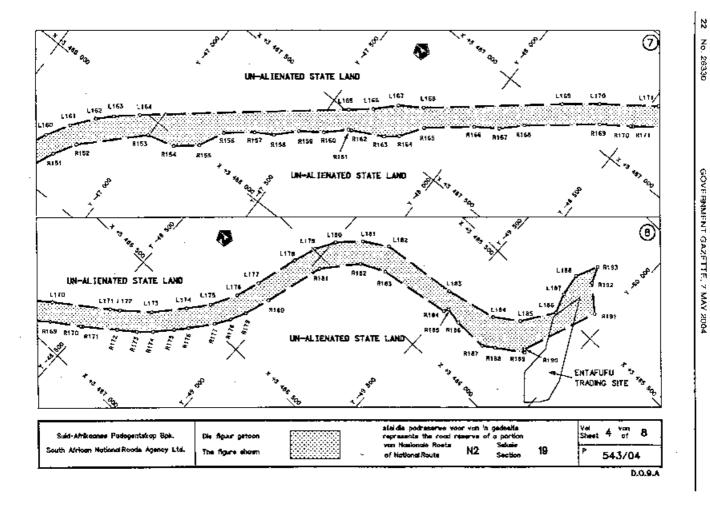
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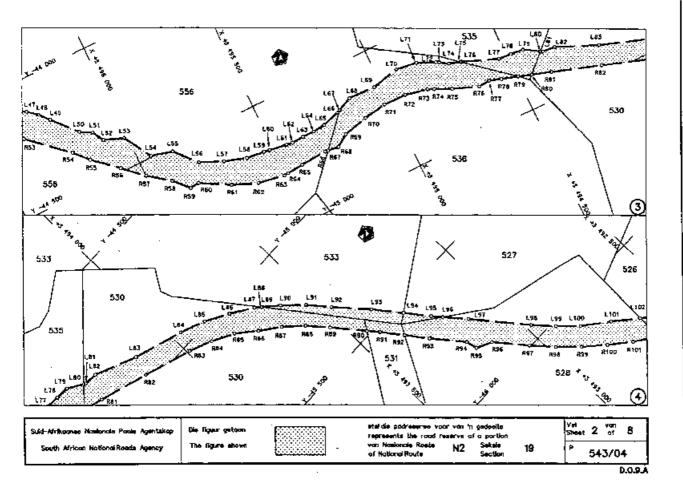




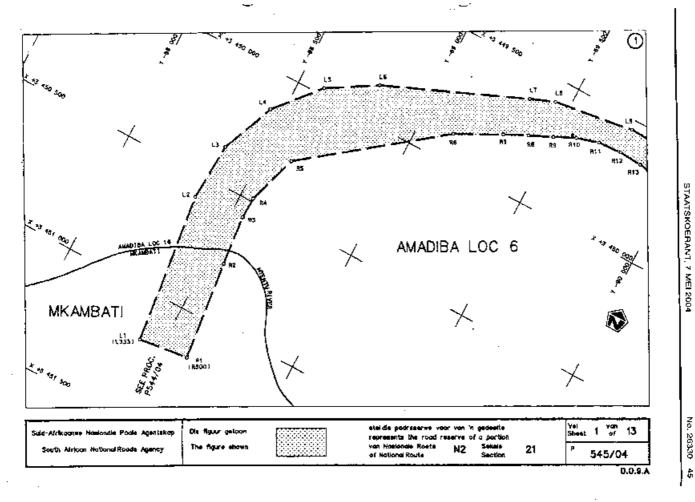
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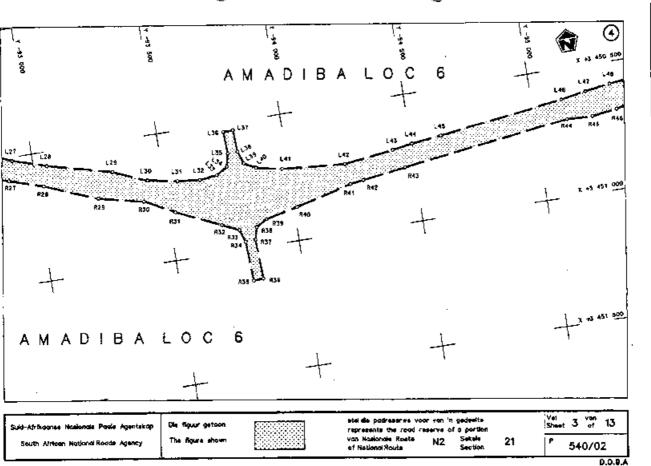
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Beskrywing van die pad tussen Umtate en Nowefane

Vanaf (i) die interseksie met Madelra straat, wal deel vorm van die N2 In Umtata, en verktear as 'n Nasionale Pad onder Goewerments Kennisgewing No. 676 van 2000, en Sutherland straat, vanwaar dit Sutherland Straat in 'n eigemeen oostelike rigting volg tot vaar Sutherland straat kruis met Spigg straat om 'n eenrigting straat ooswaarts te vorm (ii) met Alexandra straat vanaf die interseksie met Madeira straat tol die interseksie met Spigg straat, vanwaar dit Sutherland straat volg interseksie met Spigg straat, vanwaard k Spigg straat volg tot by die interseksie in 'n algemene ooswaartse eenrigting te vorm (ii) daama vanaf herdle interseksie in 'n algemene ooswaartse rigting met Sutherland straat om 'n weswaartse eenrigting te vorm (iii) daama vanaf herdle interseksie in 'n algemene ooswaartse rigting met Sutherland straat om die Mzimvubu Rivier by Ndwalane waar dit aansluit by die opgemete roete soos aangedul op plan P543/04.

Beskrywing van die pad tussen Niafufu Rivier en Lusikisiki

Venat die interseksie met die opgemete roets soos aangedui op plan No. P543/04 en Pad R61, lussen Lusikisiki en Port St Johns, in 'n algemeen noordwaartse rigting met die bestaande R61 tot by Lusikisiki waar dit aansluit by die opgemete roete tussen Lusikisiki en Mtamvuna Rivier, soos aangedui op planne P544/04 en P545/04.



STAATSKOERANT, 7 MEI 2004

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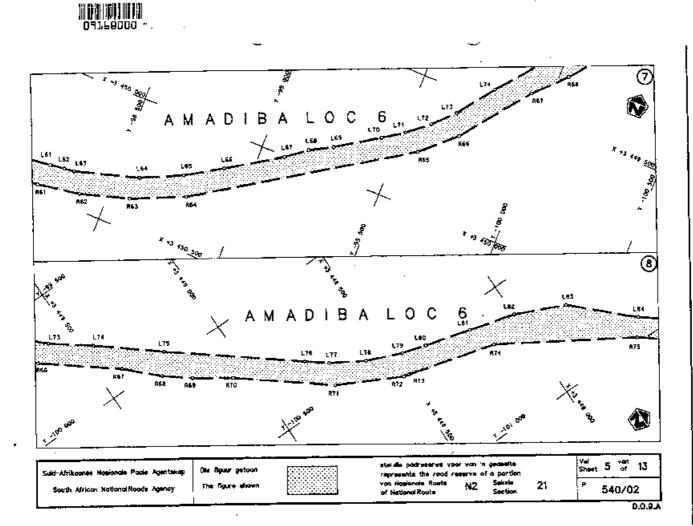
Description of road between Unitate and Ndwalane

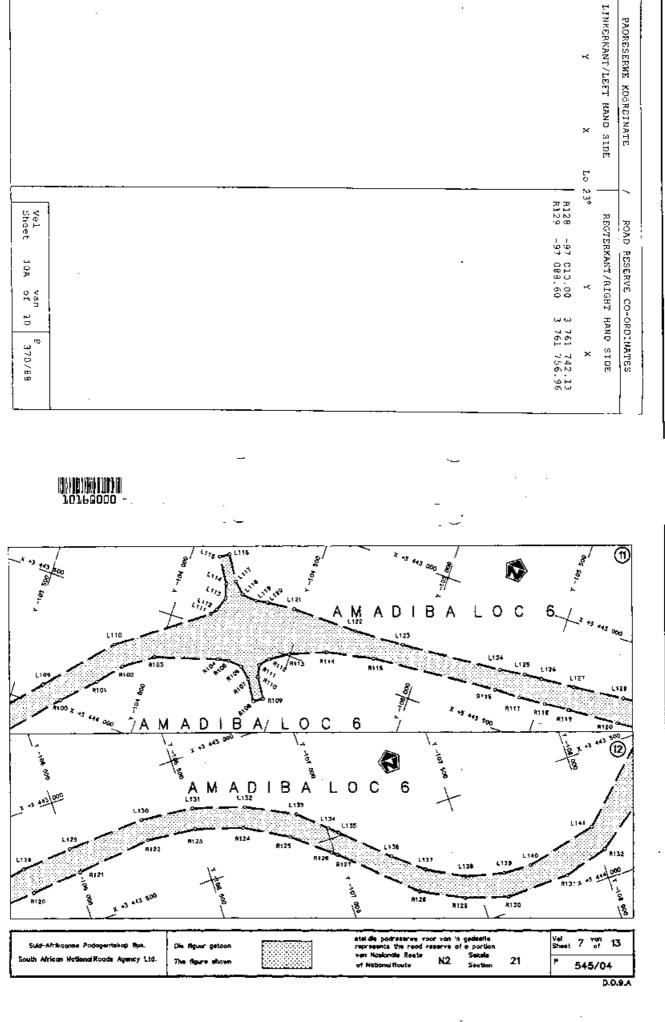
From (I) the intersection with Medeira street, which forms part of the N2 in Umtata, and declared as a National road under declaration No. 876 of 2000, and Sutherland street, along Sutherland street generally eastward to where Sutherland street intersects with Spligg street to form a one-way to the east (ii) along Alexandra street from its intersection with Madeira street in its intersection with Spligg street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a one-Spligg street up to its intersection with Sutherland street to form a street to form a one-Spligg street up to its intersection with Sutherland street to form a street to form a street up to its intersection with street to form a street to form a street to form a street up to its intersection with street to form a street to form a street up to its intersection with street to form a street up to its intersection with street to form a street up to its intersection with street up to its intersection with s

Spigg street, traversing along Spigg street up to its intersection with Sutherland street to form a oneway to the west (iii) from the said intersection generally eastward along Sutherland street, which becomes road R61, towards Port St Johns up to a point ± 8.4 km west of the Mzimvubu River et Ndwalane where it adjoins the surveyed route as depicted on plan P543/04.

Description of road between Ntafutu River and Lusikisiki

From the Intersection with the surveyed route as depicted on pian No. P543/04 and Road R61, between Luskiski and Port St Johns, generally northward along the existing R61 up to Luskisiki where it joins with the surveyed route between Luskiski and Mtamvuna River, as depicted on plans P544/04 and P545/04





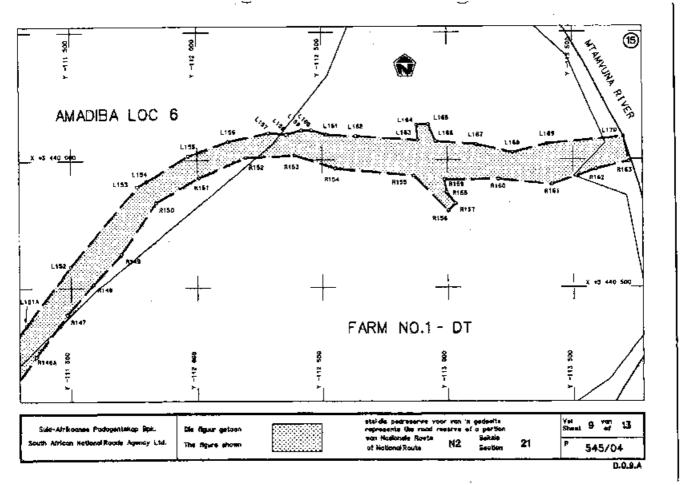
14 No. 26330 GOVERNMENT GAZETTE, 7 MAY 2004

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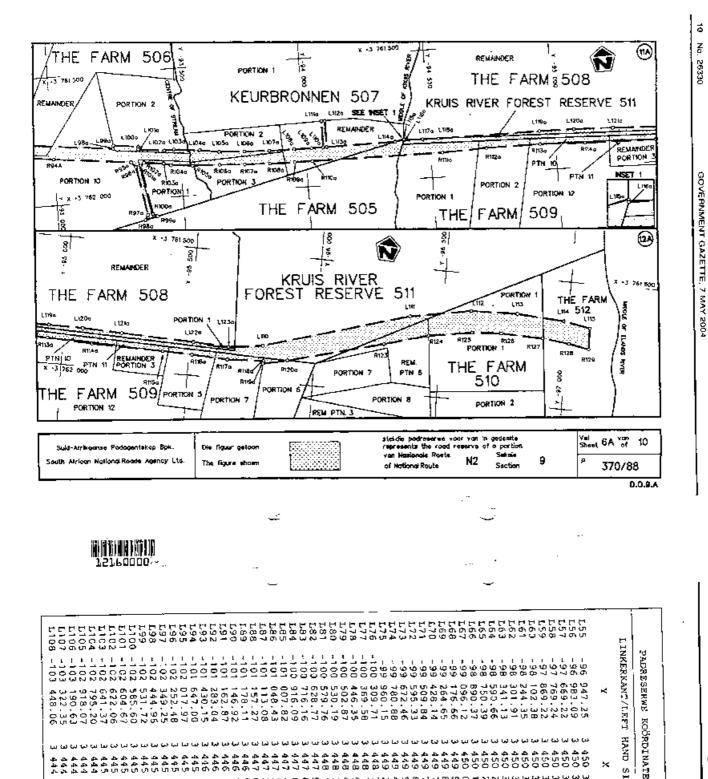


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	J- haven	Kragtens die bevoegdheid my verleen by artikel 4(1) (b) van die Nasionale Paaie Agentskap Beperk en Nasionale Paaie Wet, 1998 (Wet No. 7 van 1996) wysig ek hierby verkaning No. 938 van 1689 deur daarin velle 4, 5 en 8 van plan P370/08 te vervang deur bygaande vella 4A, 5A en 6A en velle 8, 9, 10 en 11 deur 8A, 9A en 10A respektiewelik.	WYSIGING VAN VERKLARING No. 936 VAN 1989, 'N GEDEELTE VAN NASIONALE ROETE 2, SEKSIE 9, TUSSEN DIE ELANDSBOSRIVIER EN DIE ELANDSRIVIER, OOS KAAP PROVINSIE	WYSIGING VAN VERKLARING VAN N2 SEKSIE 9 TUSSEN TSITSIKAMA EN ELANDSRIVIER	Kađini(98)s knji sonazovko	DIE SUID AFRIKAANSE NASIONALE PAD AGENTSKAP BEPERK	8 No. 28330 GOVERNMENT GAZETTE, 7 MAY 2004
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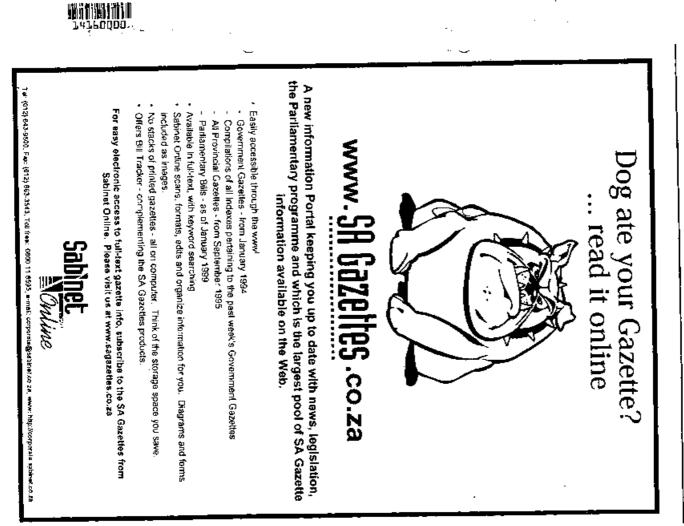
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BYLAAG

Beskrywing van bestaande verklaarde Provinsiale Paale P94-1, P94-2 en Distriks Pad 679 tussen Polokwane en Masekwaspoort.

Kalkheuwel 454-MS), vanwaar dit sirek in 'n algemeen oostelike rigting op die bestaande Distriks Pad 679 tot by die interseksie met Nasionale Pad N1 seksie 29X die gedeelte van Distriks Pad 679 soos verdaar deur Administrateurs Kennisgewing No's 193/1940, 143/1942, 235/1949, 341/1952, 343/1952, 204/1969, 256/1963, 730/1963, 330/1964, 540/1968, 860/1969, 826/1981, 184/1976, 280/1960, 209/1964, soos verklaar deur Nasionale Pad Verklaring No: 1322 van 1989 by Masekwaspoor 'n algemene noordelike rigting op die bestaande Provinsiale Paaie P94-1 en P94-2 op die plaas Fenton 733-MS, waar dit eindig tot die interseksie met Distriks Pad 679 (ook bekend as Roete R523 op die plaas bevrekking op hierdie gedeeltes paale mag hê, wat begin by die Interseksie met die Pookwane Westelike Verbypad op die plaas Doornkraal 680-LS en vandaar strek in 186/1947 en 955/1967 asook alte ander Administrateurs Kennisgewings wat Die gedeeltes van Provinsiale Paaie P94-1, P94-2 (ook bekend as Roete R521) er



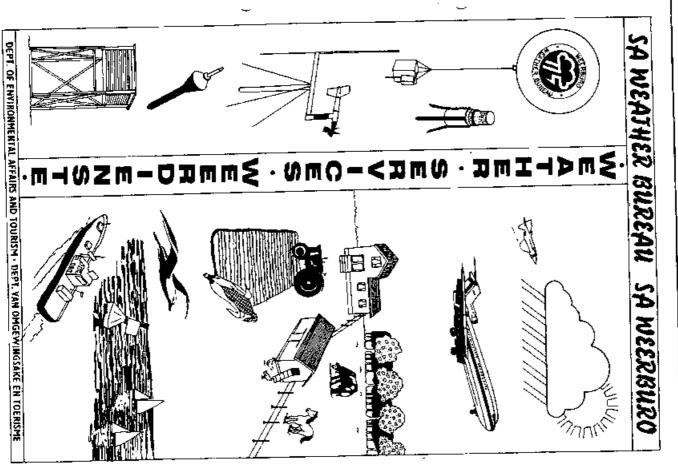


Annexuce

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Description of existing declared Provincial Roads P94-1, P94-2 and District Road 579 between Polokwarre and Masekwaspoort

The sections of Provincial Roads P34-1 and P34-2 (also known as Route R521) and the section of District Road 679 as declared by Administrative Noice Nois 193/1940, 143/1942, 236/1948, 341/1952, 343/1962, 343/1963, 203/1964, 209/1964, 186/1947 and 955/1967 and all other Administrative Noices Nois 209/1964, 186/1947 and 955/1967 and all other Administrative Noices which are relevant to these sections of roads, commencing from the Intersection with the Polokwane Western Bypass on the farm Doornkraal 880-LS there from on traversing in a general northerly direction on the existing District Road 679 to the Intersection with National Road P34-1 and P44-2 to the Intersection with District Road 679 (also known as Route R523 on the farm Kalkheuwel 454-MS), thence Inversing in a general easterly direction on the existing District Road 679 to the Intersection with National Road N1 section 29X as declared by National Road Declaration No: 1322 of 1969 at Masekwaspoort on the farm Ferkon 733-MS, where it terminates.



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No. 26330 61

STAAT SKOERANT, 7 MEI 2004

