

Meeting:			
MEETING TITLE:	Meeting with landowners re uMhlatuzana Viaduct haul and access road for construction phase.	DATE:	23/10/2019
VENUE:	Giba Gorge Mountain Bike Park, Dassie Conference Room	TIME:	9:00am
COPIES:			
PROJECT NO:	DT0008 - N3 Upgrade Mariannhill Toll Plaza to Key Ridge		

	NAME	ORG	NAME	ORG
ATTENDEES	A McKenzie	AM	Richard Eastwood	RE
	R Horner	RH	Eric Arnaud	EA
	Dawie Erasmus	DE	Yeukai Doma	YD
	Chris Harburn	CH		
APOLOGIES:	Zandile Nene	ZN	SANRAL	

RECORD OF DISCUSSION:

ITEM & DETAIL OF DISCUSSIONS	ACTION BY	DATE
<p>1. <u>PURPOSE OF MEETING</u></p> <p>To discuss environmental issues & concerns regarding the proposed temporary uMhlatuzana Viaduct haul and access road for the construction phase.</p>		
<p>2. <u>ISSUES DISCUSSED</u></p> <p>2.1 Background/ need and desirability of haul road</p> <p>a. While All 3 property owners have been engaged on this issue previously, and agreed in principle to the proposed haul and access road, the meeting affords the opportunity to view the proposed route on a large drawing and to discuss all issues of concern prior to the environmental report going out for public review.</p> <p>b. The road is required to provide the contractor haul and access for work below the N3 uMhlatuzana viaduct, where new piers and substructures are required (the deckwork will be launched from the top).</p> <p>c. The access to the viaduct will make use of the original old track, which was found to be the best from an environmental perspective.</p> <p>d. It will be a single lane road with limited layby areas for trucks to pass each other, in order to minimize environmental impacts. Traffic controllers will be required during the construction phase.</p> <p>e. The main river crossing is the Giba River which runs all year. A low-level causeway is proposed on the haul and access road where it crosses the Giba River. Work will have to stop on occasion when the river is overtopping the low level causeway.</p> <p>f. Start date for N3 construction on this section was scheduled for 2022 but this might be brought forward to end of 2020.</p>		

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<p>g. Entire construction contract expected to be 48 months of which about 12 – 18 months will see busy activity along the access and haul road, after which use will drop off substantially.</p> <p>h. It is intended that the section of the old N3 access track on Eric Arnaud' property would be decommissioned and rehabilitated after use, but the existing District Road, D493/1 will remain as before.</p>		
<p>2.2 Ownership of properties and current access to the viaduct</p>		
<p>a. The proposed haul and access road traverses three property owners: viz:</p> <ol style="list-style-type: none"> 1. Giba Park Properties (Owner Mr Chris Harburn). Access is via a private right of way servitude known as the Ngweni gravel road from Westmead (Stockville Rd) to the Giba Park entrance gate. The land over which the Ngweni servitude road runs is privately owned by Musa group. The Ngweni servitude road is maintained by Giba Park Properties (represented by Chris Harburn). 2. Property owned by Mr Richard Eastwood: Officially access is D493/1 which is the gravel road from Giba Park Property, then through a small portion of Eric Arnaud's property, and then passing under the N3 and then St Helliers. The section between St Heliers and the N3 has however been closed off by the authorities. The private right of way servitude known as the Ngweni gravel road between Giba Park and the N3 is now the only access to both Richard Eastwood and Eric Arnaud's properties. Both Mr Eastwood and Mr Arnuad are however dependant on the goodwill of Mr Harburn to use his right of way servitude (Ngweni Road.) The situation effectively leaves Mr Arnaud and Mr Eastwood with no registered legal access to their properties. Due to a washaway on D493, caused by drainage runoff from the N3, the D493/1, access to Mr Arnaud's property has been severed. KZNDot is not maintaining the D493/1 and as such the severed access has severe impacts for Mr Arnuad. Both these property owners are requesting assistance to formalise legal access and maintained access to their properties as they are held liable for municipal services and rates. 3. Property Owned by Mr Eric Arnaud. This is the last section along the old disused access track used for original N3 construction, on a portion of Eric Arnaud's property. This old track is currently used as part of a mountain bike trail. <p>b. The required specialist assessments have been undertaken to identify, assess and provide mitigation for impacts on the environment associated with the viaduct access road, including alien plant control and rehabilitation after decommissioning. No fatal flaws have been identified.</p>		

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<p>3. <u>PROPERTY OWNER ISSUES</u></p> <p>a. Understanding the need for the access road, all 3 property owners are willing to have SANRAL access the viaduct as proposed (and shown on a large layout plan at the meeting). However, this would be on condition that after SANRAL is finished with the road, they are left with legal registered access to their properties with ownership and accountability for ongoing road maintenance clearly documented and registered. They request SANRAL to facilitate the necessary discussions with eThekweni and KZNDOT. Note however, that this is not an environmental issue and should not hold up the BA process.</p> <p>b. The decommissioning and rehabilitation of the last section on Mr Arnaud's property is supported as this is not required by them for access and it is better from an environmental perspective and for security.</p> <p>c. Runoff from this track and from the D493 must be properly controlled so as to protect slopes, waterways and dams.</p> <p>d. The right of way to Giba Park, Ngweni Road is to be maintained by the Contractor for the duration of the contract, on Giba's behalf.</p> <p>e. Road safety signage, speed limits etc need to be emphasised as Ngweni Road is busy, but has no formal road markings, shoulder, speed control, etc.</p> <p>f. Mr Eastwood can offer a suitable site office/lay down area adjacent to the D439 on an existing platform - recommended as environmental impacts will be negligible.</p> <p>g. No overnight accommodation for labour will be allowed</p> <p>h. The impacts on cyclists and cycling trails during construction can be managed by Giba Mtb Park in consultation with the contractor, at the appropriate time. Good communication between GIBA, SANRAL and the winning contractor will be key prior to and during construction. GIBA MTB Park will communicate with its user groups accordingly.</p>		
<p>4. <u>ACTIONS</u></p> <p>a. Mr Dawie Erasmus to approach SANRAL on behalf of the landowners and request a meeting between SANRALs property team, eThekweni, SMEC, KZNDOT and the property owners to see if it possible to resolve the access issues to Mr Eastwood's and Mr Arnaud's properties.</p> <p>b. Mr Dawie Erasmus and Mr Chris Harburn will exchange details for various contact people who would need to be involved.</p>		

FUTURE MEETINGS

SUBJECT	VENUE	TIME	DATE

FUTURE MEETINGS

SUBJECT	VENUE	TIME	DATE

APPROVAL OF MINUTES



Name
SMEC

29/10/2019
Date

