
Friends of Moreletakloof

Moreleta Kloof Natuurreservaat



PROJECT EXECUTION PLAN

**for the Moreleta Kloof Nature Reserve
Discovery and Sensory Trail Development**

ISSUE 1



TITLE PAGE



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TITLE : PROJECT EXECUTION PLAN for the Moreleta Kloof Nature Reserve
Discovery and Sensory Trail Development


PREPARED BY : Jan de Koster

APPROVED BY : Refer to approval page.

DATE : January 2012

APPROVAL PAGE

APPROVED BY: Name and Signature:

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Chairman: The Friends of Moreleta Kloof

D. van Helsdingen 
Representative: Rademeyers Restaurant

A. W. Marais 
Representative: Department of Nature Conservation of the Tshwane City Council.

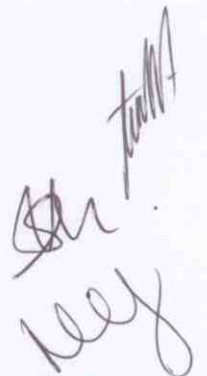


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1. PURPOSE OF THIS DOCUMENT

The purpose of this project execution plan is to provide a high level plan, and envisaged schedule, to successfully establish the proposed discovery and sensory trail within the Moreleta Kloof Nature Reserve.

This document also serves as a formalisation of the approval of the stakeholders in this undertaking, whereby the consensus of the high level actions as presented in this document, is demonstrated.

The successful completion of this project is dependent on the obtaining of sponsorship from organisations and individuals who support this nature conservation project, which is largely aimed at making the pristine nature area of the Moreleta Kloof accessible for various disabled groups and individuals.

This document will also serve as a guideline to the group of volunteers who offer their services, without financial reward, to maintain and develop the Moreleta Kloof Nature Reserve. These individuals are grouped in the non-profit organisation named "Friends of Moreleta Kloof".

This document is compiled in gratitude to the City of Tshwane. Within the approval and support of the Department of Nature Conservation of the Tshwane City Council this development would not be possible.



2. PROJECT AIM AND LOCATION

2.1 Project Aim

The aim with the Moreleta Kloof Discovery and Sensory Trail development project is to develop a 2 Kilometre long discovery and sensory walking trail inside the Moreleta Kloof Nature Reserve in the Eastern Suburbs of Pretoria, South Africa.

The trail will be made accessible to the disabled. It will be designed and constructed to be wheelchair friendly and suitable for the use by the visually impaired.

2.2 Project Aim

The trail will be developed within the Moreleta Kloof Nature Reserve. This nature reserve is located in the eastern suburbs of Pretoria, South Africa at 60 Helios Street (GPS - 25° 48' 49. 94" S and 28 ° 17' 15. 89" E). This nature reserve is one of the reserves owned by the City of Tshwane and managed and operated by the department of Nature Conservation of the Tshwane City Council.

In Figure 1 a map is presented indicated the nature reserves location (see point A) and Figure 2 provides an aerial view of the reserve.

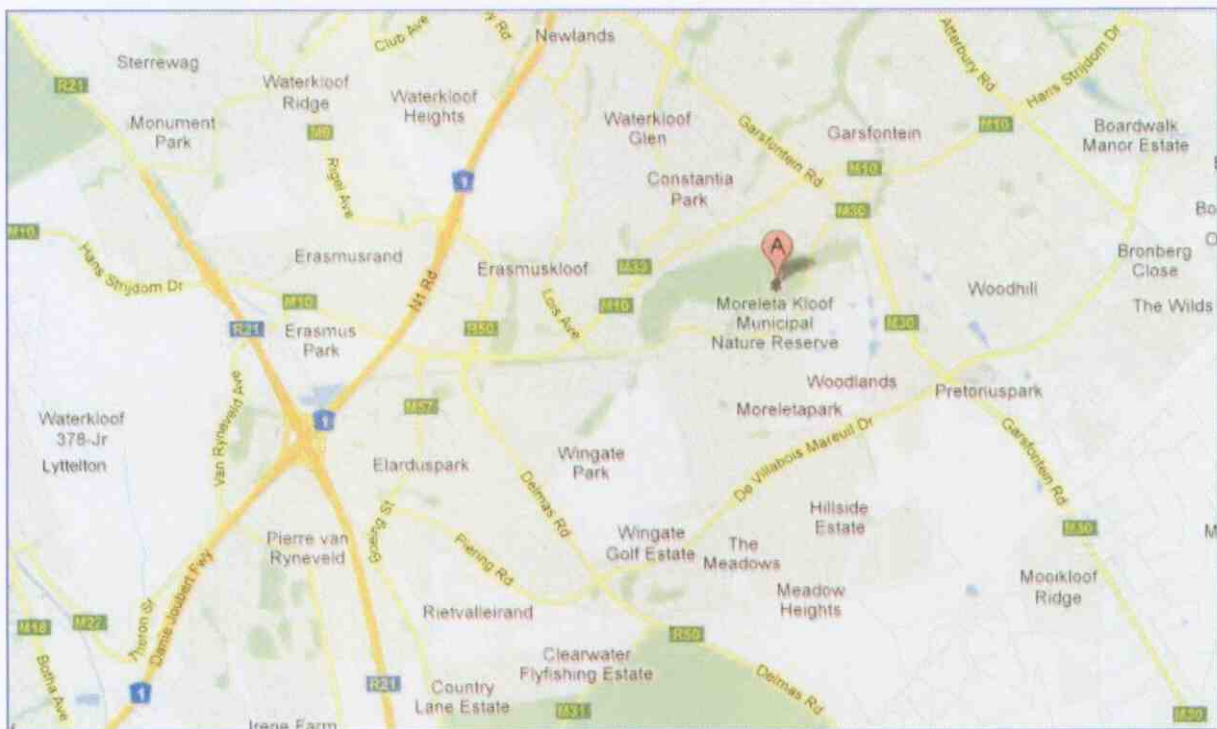


Figure 1: Moreleta Kloof Nature Reserve Location Map

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Figure 2: Aerial View of Moreleta Kloof Pretoria

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3. BACKGROUND, SCOPE, SPONSORSHIP AND APPROVAL PROCESS

3.1 Background

The area that is currently known as the Moreleta Kloof Nature Reserve was part of the initial farm that belonged to the Rademeyer family who farmed cattle in the area. The farm was subdivided after the death of Mr Rademeyer and the current portion was later owned by Mr Marneweck. The farmhouse was constructed in 1903 and although it is utilised today as a restaurant the building is still in its original form. The farm and buildings were transferred to the Council from the Estate of the last owner who requested that the Kloof must be kept as a Green Zone and that no residential developments must be done in the Kloof.

Hiking trails were developed in the late 90's and game was also introduced. Currently Zebra, Blesbuck, Impala, Bushbuck and Springbok can be seen roaming in the Kloof. The Kloof is now under the management of the Department of Nature Conservation of the Tshwane Metro Council. The hiking trails are open 7 days a week for access to the public to enjoy the trails and the beauty of nature.

The organisation, "The Friends of Moreleta Kloof" was formed as a non-profit company, acting in the interest of the Kloof, and was entered into the Register of Companies on the 12th May 2008, with the registration number:2001997/015983/08 (association incorporated under section 21). The Friends of Moreleta Kloof is working closely with the Department of Nature Conservation of the Tshwane Metro Council.

One of the directors of the organisation enjoys walking in the Kloof every morning and also spends time over weekends with her grandchildren in the Kloof and at the restaurant and surrounding areas. During a morning walk, the thought came to her that it is so easy for people without disability to walk, see, smell and touch the plants and experience nature so close by - but for disabled persons this is difficult or impossible. This thought was the start of her actions to initiate a project to also make it possible for the disabled to have access to the Kloof and to enjoy what nature has to offer here. With the limited availability of facilities of this nature, especially within a suburban area where many disabled persons could make use of such a facility, it prompted the Directors of "The Friends of Moreleta Kloof" to initiate the development of an easily accessible route inside the Kloof.

Two people in wheelchairs were asked to get involved in the planning and support of the wheelchair trail. Mr Chris Patton the Project Manager of the Business Development Unit of SANPARKS and Mr Mathys Roets. Mathys Roets is a well-known South African who became a wheelchair user after a motorcycle accident and he is currently acting as the custodian of the project.

A project team was compiled and is made up of volunteers from different corporate organisations and private companies. All with specialist skills and knowledge regarding a project of this nature. The project was officially initiated on 29 October 2010 when a project charter was submitted to the Department of Nature Conservation of the Tshwane Metro Council during an Executive meeting and approval was given by the Department to go ahead with the endeavour.

A portion of the Moreleta Kloof Nature Reserve is leased from the City of Tshwane. This includes the original farm house and outbuildings where the "Rademeyer's Restaurant" is now operated by the lessee of this portion. The Discovery and Sensory Trail Development as described in this document will not infringe on the rights of the mentioned lessee and is seen as a project to further develop the nature reserve as an asset for the local community.

3.2 Scope

The project entails the development of a paved hiking trail in the Moreleta Kloof Nature Reserve that can be utilized by people in wheelchairs, with other disabilities such as visual and audio impairment, as well as any other user of the Kloof, as a fully integrated and accessible route with the other trails in the Kloof.

A route survey has been conducted and the GPS imagery and plotted data was used to determine the angles and slopes that need to be levelled to ensure a smooth and flat surface is created with inclines acceptable for wheelchair accessibility. The trail will consist of 1.5 meter wide concrete paved surfaces laid on a sub base of compacted sand and stone. The discovery trail will have a very low curb to ensure that the animals can still move over the trail without been restricted, but also allowing people with sight disabilities to utilize their guide rods to follow the path. The trail will be 2 kilometres in length and will allow the users to move in both directions, thus making it a 4 kilometre total distance. The trail will be clearly marked for easy and safe navigation for users and will be accessible to any person visiting the Kloof with the need to discover nature and utilise their senses to experience nature. Certain areas of the trail will be kept as natural ground to also allow the user to experience the sense of feeling the sand under their feet.

A route plan of the trails to be developed is presented in APPENDIX A of this document.

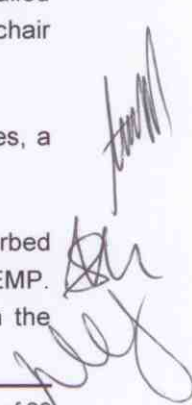
The paving of the trial will be 2.5m wide where vehicles are also required to access the terrain, but most sections will be 1.5m wide.

Apart from the trails that will be developed a resting area with a wheelchair accessible toilet facility will also be constructed. This will be done during the early stages of the project in order to ensure that this facility is available to the disabled as early as possible.

A wooden bird hide will also be constructed next to the stream at the reeds where an abundance of birds can be seen and heard. The hide will be built on stilts with wood to ensure that it blends in with the natural environment and will be accessible for all users form both sides with installed seating to sit and view the birds. Considerations and drawings for the construction of wheelchair accessible bird hides are presented in APPENDIX D of this document.

To allow the user the opportunity to discover and utilise as much as possible of their senses, a quite rest and meditation area next to the stream is also planned.

The trail will be constructed using portions of the current trail and no new ground will be disturbed during construction, therefore negating the necessity for an EIA and also submission of an EMP. This was investigated by Dr Peter Aucamp from PTERSA for the project team based on the



requirements as stipulated by the NEMA Acts and regulations and confirmed that an EIA is not required.

3.2 Sponsorship

To ensure that this complete project is executed as per the approved plan "The Friends of Moreleta Kloof" require a total sponsorship of approximately R 1 820 000.00 to fund the project. (For the project budget refer to section 6 of this document).

This seems to be a daunting task, but several donations and sponsorship have already been received. Adequate funding has in fact been obtained to enable the completion of Phase 1 of the project (see section 4 of this document) and as the results of Phase 1 can be appreciated "The Friends of Moreleta Kloof" are optimistic that further donations and sponsorship will be obtained.

The money received from sponsors is deposited into the account of "The Friends of Moreleta Kloof" held at: Absa Bank, Woodlands Branch number 230732 (632005 for electronic transfers), Account number 9105029384.

3.2 Approval Process

The approval process for the construction of the Moreleta Kloof Discovery and Sensory Trail development has been defined and certain approval points have already been passed. The highlights of the approval process are mentioned in the paragraphs below and reference is made to supporting documentation attached to this document as appendices.

- a. Approval in principle of the construction of the disabled toilet facility and rest deck (Phase 1 of the project) from the City of Tshwane Nature Conservation: Sector East. This approval is subject to the normal City of Tshwane building regulation and water connection in co-operation with the Rademeyer's Restaurant within the nature reserve. An e-mail with these details is attached in APPENDIX E.
- b. The Open Space Management Section of the Environmental Management Division of the City of Tshwane stated their support for the proposed Moreleta Kloof Discovery and Sensory Trail. (See APPENDIX F). As stated in the mentioned appendix this support is, in short, subject to the following:
 - i. Prior to the construction activities for the Moreleta Kloof Discovery and Sensory Trail, comments need to be obtained from the Gauteng Department of Agriculture and Rural Development (GDARD) on Environmental Impact Assessment (EIA) requirements.
 - ii. A Site and Landscape Development Plan for the proposed Moreleta Kloof Discovery and Sensory Trail needs to be submitted to the Open Space Management Section of the Environmental Management Division of the City of Tshwane.
- c. Due to the requirement of paragraph 3.2 b. i. above the appointment of an Environmental Assessment Practitioner (EAS) is advisable. The appointment of an EAS is confirmed in

APPENDIX G. In the mentioned appendix the contents of an e-mail from the EAS addressed to the GDARD is also included, which recommends that an Environmental Impact Assessment is not required for this project based the minimal impact that the project will have on the Moreleta Kloof Nature Reserve. (From an environmental point of view this project only entails the upgrading of existing trails on the reserve).



4. PROJECT EXECUTION

Due to budgetary constraints and sound project management principles the Discovery and Sensory Trail Development will be executed in the phases as outlined below.

The phases are described with reference to the Route Plan as presented in APPENDIX A of this document.

4.1 Phase 1: Building of Wheelchair Friendly Toilet and Rest Point

The construction of the disabled person toilet and rest point with the associated natural gravel paving (shown in red on the Route Plan) to connect to the existing paved road (shown in black on the Route Plan). Details of the construction of this phase still need to be finalised, but the present proposed location of the disabled person toilet and rest point is shown in APPENDIX B.

4.2 Phase 2: Paving between Parking Area and Existing Tar Road

The construction of the concrete paving from the entrance parking area (shown in blue on the Route Plan) to connect to the existing paved road (shown in black on the Route Plan). A proposal to shorten the requirement of the concrete paving has also been made of which the conceptual idea is shown in APPENDIX C.

4.3 Phase 3: Building of Bird Hide

The construction of the bird hide with the associated natural gravel paving leading to the rest point of Phase 1 above (shown in green on the Route Plan).

4.4 Phase 4: Building of the Western Rest Point

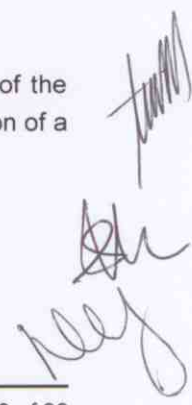
The construction of the bird hide with the associated natural gravel paving leading to the rest point of Phase 1 above (shown in green on the Route Plan).

4.5 Phase 5: Paving between the two Rest Points

The construction of the concrete paving (shown in red and blue on the Route Plan) to connect the rest point of Phase 1 and the rest point of Phase 4 via the existing paved road. This includes the upgrade of the natural gravel paving of the Meditation Sanctuary (shown in green on the Route Plan). This also includes the construction of a concrete causeway over the wetland area.

4.6 Phase 6: Eastern Paving

The construction of the natural gravel paving and the concrete towards the eastern part of the Route Plan (shown in green and blue on the Route Plan). This also includes the construction of a concrete causeway over the wetland area.



5. SCHEDULE

The high level execution schedule is presented in Figure 3 below.

The first phase is scheduled to be completed by the end of June 2012. The execution of the further phases will obviously be greatly dependent on the successful execution of the first phase and the availability of the required funding/sponsorship. Within the reality of the risk of adequate sponsorship and other normal project risk the project could be completed by the end of 2013

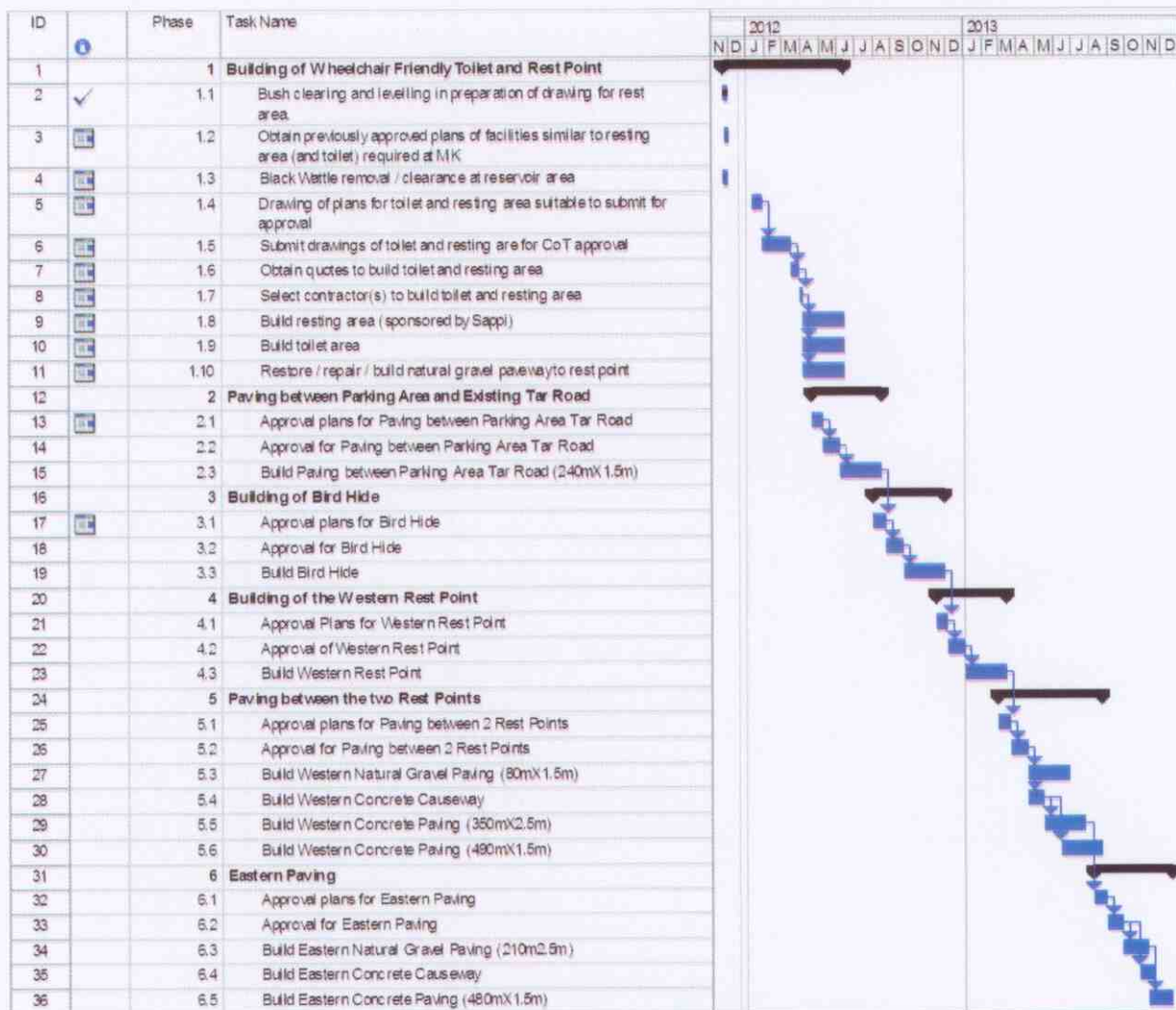


Figure 3: High Level Execution Schedule - Moreleta Kloof Discovery & Sensory Trail Development



6. BUDGET

An estimate of the funds required to complete this project is presented in Table 1 below. Apart from a sound project management practice, budget restraints are the main reason for executing the project in phases. Present adequate funding has been obtained to complete Phase 1. Further phasing will be done as per the schedule as present in section 5 of this document, assuming the availability of funding.

Phase	Description	Estimate
1	Building of Wheelchair Friendly Toilet and Rest Point	R 124 000
2	Paving between Parking Area and Existing Tar Road	R 195 800
3	Building of Bird Hide	R 123 800
4	Building of the Western Rest Point	R 78 800
5	Paving between the two Rest Points	R 768 800
6	Eastern Paving	R 528 800
	Total	R 1 820 000

Table 1: High Level Project Execution Budget



APPENDIX A. :

MORELETA KLOOF DISCOVERY AND SENSORY TRIAL ROUTE PLAN



APPENDIX B. :

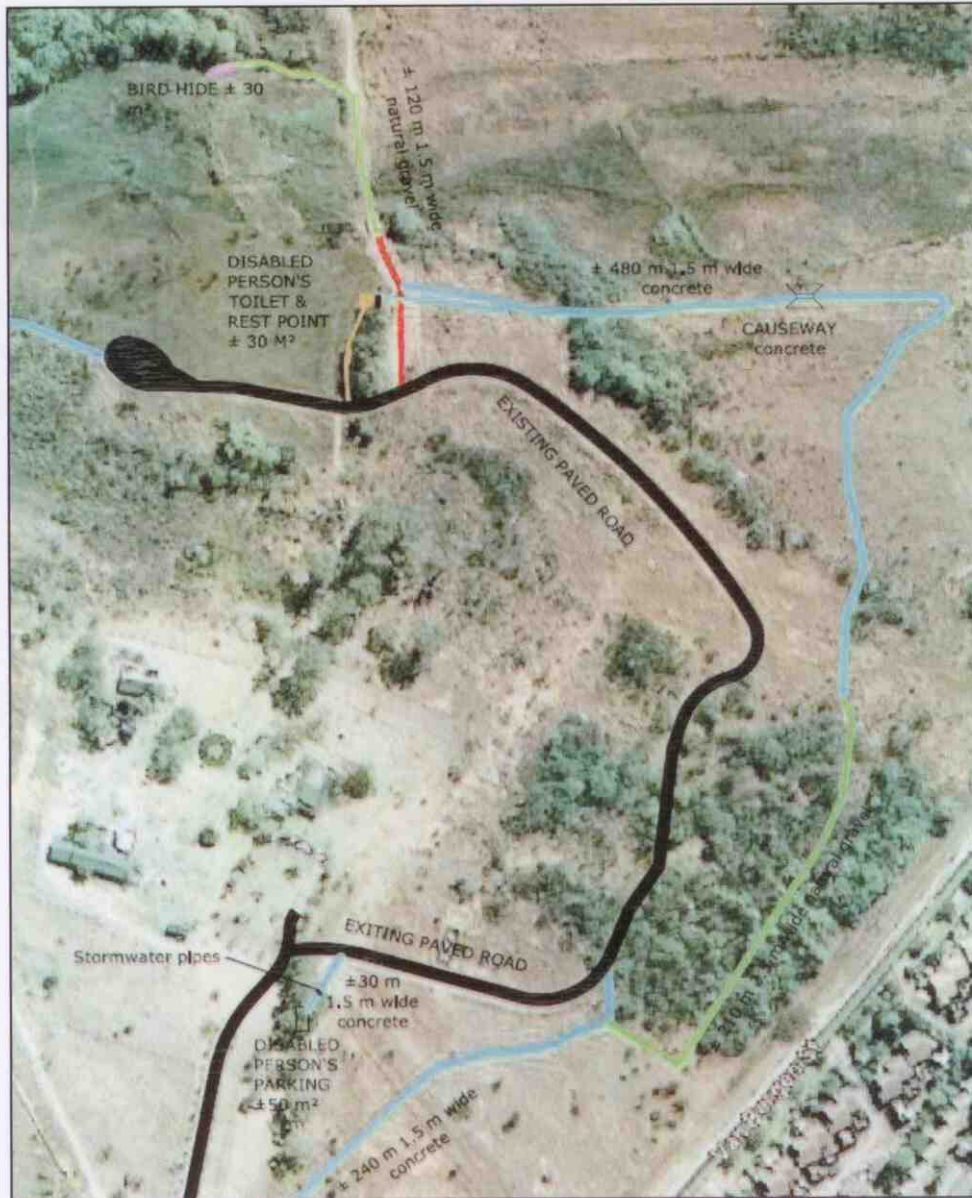
PROPOSED POSITION OF DISABLED PERSON'S TOILET AND REST POINT
OF PHASE 1



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APPENDIX C. :

ALTERNATIVE PARKING AREA WITH SHORTENED PAVING
REQUIREMENTS FOR PHASE 2



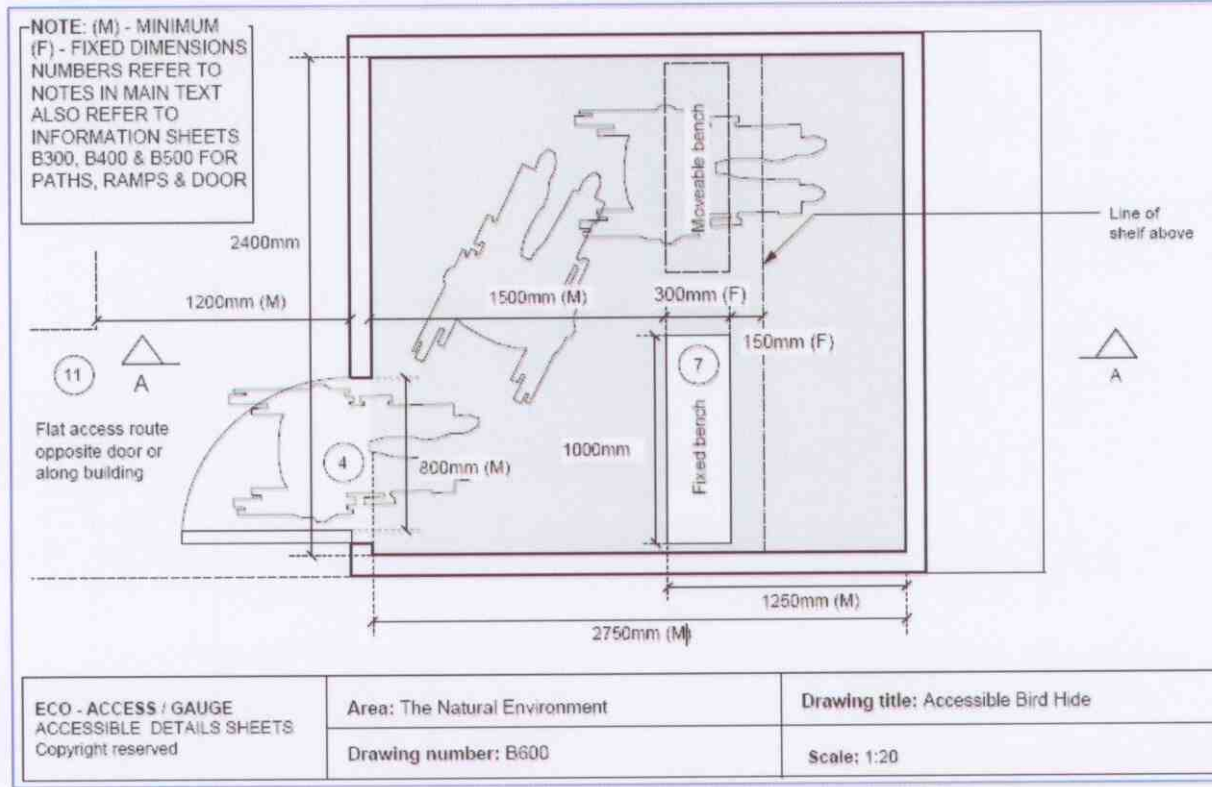
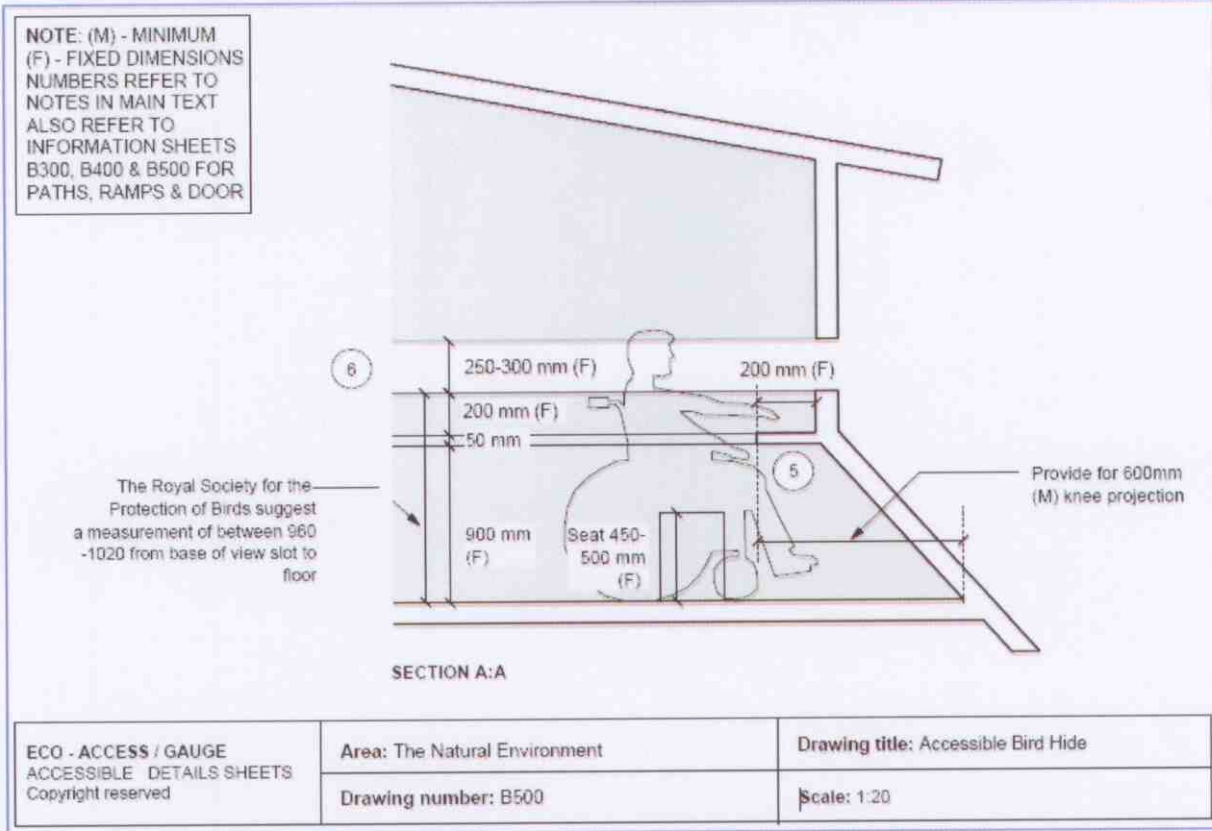
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APPENDIX D. :

**CONSIDERATIONS AND DRAWINGS FOR THE CONSTRUCTION OF
WHEELCHAIR ACCESSIBLE BIRD HIDES**

The following are some points to consider when building an accessible bird hide:

- There should be a suitable parking or drop off point for wheelchair users (This needs to be on an area where the gradient does not exceed 1:20, so that wheelchair users may feel secure when getting out of a vehicle and into the wheelchair or from their wheelchair and into the car. If the slope is too steep the wheelchair will roll and can result in the person falling or sustaining an injury. On an area where gradient does not exceed 1:20)
- The access pathway to the hide should be over a solid, level and firm surface.
- The gradient should ideally be kept to below 1:15 and should not exceed 1:10 to allow all strengths of wheelchair user to access the hide.
- No steps should be present
- The access path width should ideally be 1500 mm + to allow for parties moving in different directions to pass. If this is not possible it should not be narrower than 750 mm at its narrowest point and if narrower than 1500 mm should have widened passing points intermittently along its length.
- The entrance door to the hide should be around 900mm
- The surface of the hide floor should be solid (i.e. without spacing). If spacing between planks is used, this must not be more than 10 mm to prevent the small front wheels of wheelchairs from becoming stuck.
- A viewing space of between 250 and 300 mm is recommended.
- This should be positioned at approximately 1000 mm from its lower end to the floor.
- A shelf for elbows to rest on while holding up binoculars, reference books etc. should be positioned at approximately 800mm above the floor surface of the hide.
- A leg/knee clearance space below the shelf and viewing slot should extend between 500 and 600 mm.
- If fixed benches are used to sit on, then there must be open gaps at various intervals (depending on the size of the hide) to allow for wheelchair users to approach the viewing slot. These should be a minimum of 800 mm, but 1000 mm + is recommended.



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APPENDIX E. :

APPROVAL IN PRINCIPLE OF CONSTRUCTION OF THE DISABLED TOILET
AND REST DECK (PHASE 1) BY THE CITY OF TSHWANE NATURE
CONSERVATION

From: Adelene Marais [mailto:AdeleneL@TSHWANE.GOV.ZA]

Sent: Tuesday, October 18, 2011 10:52 AM

To: Jeannie du Plessis; Andrew Meyer; Deirdre Elaine van Helsdingen; Francia Bisschoff; Johan Visser; Marissa v Rooyen; Prieur du Plessis

Subject: Plasing van rolstoel ablusie gebou

Geagte Vriende

Ek wil julle net graag op hoogte bring oor ons besluit oor aansoek van ablusie gerief op rolstoel roete. Dit was vandag my terreinbesoek dag en ek en Thinus was op Moreletakloof sodat ek hom kon wys wat beplan word en het dit ook goed gedink om Jeannie saam te nooi op kort kennisgewing.

Ernst se gevoel was dat ons dit moet koppel aan een van die fasililiteite wat daar beplan word op die roete bv die uitkyk dek. Na 'n lang bespreking is daar uiteindelik toestemming gegee dat die ablusiegerief gebou kan word soos beplan op die roete onder die volgende voorwaardes

- Alhoewel die droeë sisteem 'n baie goeie idëe is is dit makliker om die toilet te laat aansluit by bestaande riool aangesien dit reg by die bestaande rioollyn loop.
- Die moontlikheid van water wat aangelê word vanaf die restaurant moet bespreek word deur Adelene en die restaurant
- Die ablusiegerief moet deel uitmaak van die uitkykdek
- Die planne moet opgetrek word en voorgelê word vir goedkeuring voordat daar gebou kan word

Hoop u vind die bg in orde

Groete

Adelene Marais

Functional head : Nature Conservation : Sector East



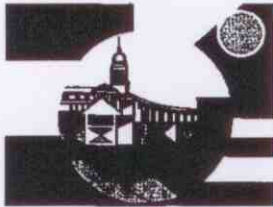
Department Agriculture and Environmental Management | Section Nature Conservation and Resorts
| Room 3 | 936 Bugle street | Pretorius park | Pretoria | PO Box 1454 | Pretoria | 0001 |
www.tshwane.gov.za

Tel: 012 358 0598 | Fax: 08086 587 8958 | adelenem@tshwane.gov.za

APPENDIX F. :

LETTER OF SUPPORT FOR THE MORELETA KLOOF DISCOVERY AND
SENSORY TRAIL DEVELOPMENT
FROM THE OPEN SPACE MANAGEMENT SECTION OF THE
ENVIRONMENTAL MANAGEMENT DIVISION OF THE CITY OF TSHWANE





CITY OF TSHWANE
"we are the same"

Agriculture and Environmental Management Department

Environmental Management Division

4th Floor | 11 Schoeman Street | Pretoria | 0002
PO Box 1454 | Pretoria | 0001
Tel: 012 358 8871 | Fax: 012 358 8934
Email: LivhuwaniS@tshwane.gov.za | www.tshwane.gov.za

My ref:	9/15/1/3/R	Tel:	(012) 358 8846
Your ref:		Fax:	(012) 358 8934
Contact person:	L. Puling	Email:	LelokoP@tshwane.gov.za
Section/Unit:	Open Space Management Section	Date:	08 November 2010

Nature Conservation and Resorts Section

(Attention: Ernst Wohltitz)
Fax: (012) 341 4595

Dear Madam

MORELETA KLOOF NATURE RESERVE WHEELCHAIR TRAIL

The Open Space Management Section of the Environmental Management Division of the City of Tshwane (CoT) herewith acknowledges receipt of the project charter and project management plan for the proposed Moreleta Kloof Nature Reserve Wheelchair Trail dated 29 October 2010.

The Open Space Management Section supports the proposed Moreleta Kloof Nature Reserve Wheelchair Trail development project on condition that such a development complies with relevant and applicable legislation and policies. Furthermore the following must be complied with:

- Comments from the Gauteng Department of Agriculture and Rural Development with regard to compliance with the National Environmental Management Act, 1998 (Act 107 of 1998) (NEMA) and its decision-making principles including the Environmental Impact Assessment Regulations must be sought. Proof of such comments from the GDARD must be submitted to the Department prior to commencement with construction activities for the proposed Moreleta Kloof Nature Reserve Wheelchair Trail; and
- Site and Landscape Development Plan for the proposed Moreleta Kloof Nature Reserve Wheelchair Trail must be submitted to the Open Space Management Section for approval.

Please do not hesitate to contact us at (012) 358 8920 should you have any questions.

Yours faithfully


 Date 08/11/2010

Mr. L. Puling
 DIRECTOR: OPEN SPACE MANAGEMENT SECTION

Cc: Mr. L. Siphuma
Executive Director: Environmental Management



APPENDIX G. :

**LETTER OF CONFORMATION OF THE APPOINTMENT OF THE
ENVIRONMENTAL ASSESSMENT PRACTITIONER (EAP)
FOR THE MORELETA KLOOF DISCOVERY AND SENSORY TRAIL
DEVELOPMENT PROJECT AND RELATED E-MAIL**





PTERSA

P O Box 915751
FAERIE GLEN
0043

South Africa

Fax: +27 866483149

Tel: +27 12 365 1025

E-mail: pjaucamp@iafrica.com

26 January 2011
Ms Jeannie du Plessis
Friends of Moreleta Kloof

Dear Ms du Plessis

Moreleta Kloof Nature Reserve Wheelchair Trial

I refer to our conversation, the documents you supplied, our site visit and your appointment of me as Environmental Assessment Practitioner for the above project.

Mr Lekolo Puling of the City of Tshwane required the following:

"Submission of confirmation whether the proposed construction of trail is not a 'listed activity' in terms of the legislated Environmental Impact Assessment (EIA) Requirements from the Gauteng Department of Agriculture and Rural Development (GDARD). In this regard what is required is for you to contact and confirm with the Gauteng Department of Agriculture and Rural Development (GDARD) whether the activities that you are proposing to undertake do not require an EIA Environmental Authorization."

However, the Environmental Impact Assessment regulations published by the Minister of Environmental and Water Affairs as GNR 543 of 18 June 2010 as corrected by GNR 1103 of 10 December 2010 states:

"Appointment of EAPs to manage applications

16. (1) Before conducting basic assessment or S&EIR, an applicant must appoint an EAP at own cost to manage the application.
- (2) The applicant must—
- (a) take all reasonable steps to verify whether the EAP to be appointed complies with regulation 17(a) and (b); and
 - (b) provide the EAP with access to all information at the disposal of the applicant regarding the application, whether or not such information is favourable to the applicant.

Determination of assessment process applicable to application

19. (1) When appointed in terms of regulation 16(1), an EAP must in accordance with regulation 20 determine whether basic assessment or scoping must be applied to the application, taking into account—
- (a) any guidelines applicable to the activity which is the subject of the application; and
 - (b) any advice given by the competent authority in terms of regulation 5.
- (2) An application must be managed in accordance with—

- (a) Part 2 of this Chapter if basic assessment must be applied to the application; or
- (b) Part 3 of this Chapter if S&EIR must be applied to the application.

Determining whether basic assessment or S&EIR is to be applied to application

20. (1) Basic assessment must be applied to an application if the authorisation applied for is in respect of an activity—
- (a) listed in a notice issued by the Minister or an MEC in terms of section 24D of the Act identifying further activities for which environmental authorisation is required and stipulating that the procedure described in Part 2 of this Chapter must be applied to applications for environmental authorisation in respect of those activities; or
 - (b) for which permission has been granted in terms of subregulation (4) for basic assessment instead of S&EIR to be applied to the application.
- (2) S&EIR must be applied to an application if—
- (a) the authorisation applied for is in respect of an activity listed in a notice issued by the Minister or an MEC in terms of section 24D of the Act, identifying further activities for which environmental authorisation is required, and stipulating that the procedure described in Part 3 of this Chapter, must be applied to applications for environmental authorisation in respect of those activities;
 - (b) permission has been granted in terms of subregulation (3) for scoping instead of basic assessment to be applied to the application; or
 - (c) the application is for two or more activities as part of the same development and S&EIR must in terms of paragraph (a) or (b) be applied in respect of any of the activities."

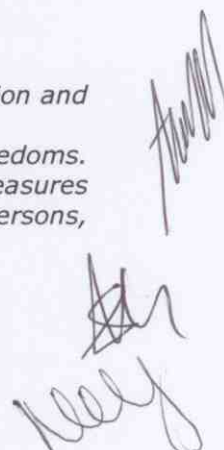
You therefore have to appoint a qualified independent Environmental Assessment Practitioner (EAP) to determine whether an environmental assessment is needed and to handle the application process. You have appointed me as the EAP. My statement of independence and a document indicating my qualifications as EAP is attached.

I determined that you do not need an environmental impact assessment based on the following:

1. The proposed project is not classified as a construction or expansion activity in any of the three lists describing the activities (Regulations R544, R545 and R546 of 18 June 2010 as corrected by GNR 1103 of 10 December 2010).
2. The proposed project can be described as the routine maintenance and repair of the EXISTING trail (See attached marked Google Photo) while at the same time making it accessible to persons with disabilities (physical, blind and those in wheelchairs) as is required in section 9 of the Constitution (Act 108 of 1996) and envisaged in the principles of the National Environmental Management Act (Act 107 of 1998). The specific wording is depicted below:

"Constitution Section 9. Equality

1. Everyone is equal before the law and has the right to equal protection and benefit of the law.
2. Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken.



3. *The state may not unfairly discriminate directly or indirectly against anyone on one or more grounds, including race, gender, sex, pregnancy, marital status, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture, language and birth.*
4. *No person may unfairly discriminate directly or indirectly against anyone on one or more grounds in terms of subsection (3). National legislation must be enacted to prevent or prohibit unfair discrimination.*
5. *Discrimination on one or more of the grounds listed in subsection (3) is unfair unless it is established that the discrimination is fair."*

"NEMA Principles

- (1) *The principles set out in this section apply throughout the Republic to the actions of all organs of state that may significantly affect the environment and -
(a) shall apply alongside all other appropriate and relevant considerations, including the State's responsibility to respect, protect, promote and fulfil the social and economic rights in Chapter 2 of the Constitution and in particular the basic needs of categories of persons disadvantaged by unfair discrimination;*
 - (2) *Environmental management must place people and their needs at the forefront of its concern, and serve their physical, psychological, developmental, cultural and social interests equitably.*
 - (c) *Environmental justice must be pursued so that adverse environmental impacts shall not be distributed in such a manner as to unfairly discriminate against any person, particularly vulnerable and disadvantaged persons.*
 - (d) *Equitable access to environmental resources, benefits and services to meet basic human needs and ensure human wellbeing must be pursued and special measures may be taken to ensure access thereto by categories of persons disadvantaged by unfair discrimination."*
3. The only construction that will be done is the repair of the small culverts crossing the stream. This is needed as a result of stormwater damage in the past season.
 4. Section 26 of regulation 544 is a bit problematic. It reads: "Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004)". Since no process or activity were identified, one needs to get the agreement of GDARD that no EIA is needed.
 5. The project was discussed with Me Boniswa Belot of GDARD. She will study this document and give the formal comment from GDARD.

Regards



Dr Pieter J Aucamp DSc Pr Sci Nat
Managing Director



E-mail from the Environmental Assessment Practitioner (EAP) to the Gauteng Department of Agriculture and Rural Development (GDARD) on the requirement of an Environmental Impact Assessment (EIA)

From: [Pieter](#)

Sent: Wednesday, January 26, 2011 9:57 AM

To: Boniswa.Belot@gauteng.gov.za

Cc: 'Jeannie du Plessis'

Subject: Moreleta Kloof Wheelchair Trail

Hallo Boniswa

Thank you for your willingness to look at this project. I really do not think an EIA is needed. I attach the letter to the Friends of Moreleta Kloof that explains the situation, a Google Photo, a 1/50000 map and the annotated Google photo indicating the trail. I also attach a document from the City of Tshwane Environmental Division supporting the project.

Will you please comment on the project.

Regards

Pieter

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