



BUSHMAN'S RIVER MOUTH / BOESMANSRIVERMOND

Ratepayers' Association / Belastingbetalersvereniging Ward 3 / Wyk 3
P.O.Box 50, Boesmansrivermond, 6190

19th July, 2006

Mr. Angus Schlemmer
Ndlambe Municipality
P.O.Box 13,
Port Alfred
6170

Re- Building encroachment on tow path at Bushman's River Mouth

Dear Mr. Schlemmer,

The BRMRA has had several complaints regarding owners exceeding the building lines on the river side of their erven. Some of these have already taken place and another is in progress at present.

The properties in question are the following:-

- 1) ERF 1044 the boathouse protrudes into the tow path which is municipal open space and public right of access. It exceeds the building line.
- 2) ERF 1046 The staircase to the property protrudes onto the tow path which is public open space and right of access. It exceeds the building line.
- 3) ERF 24& 25 The retaining wall being constructed at present exceeds the building line and should be stopped. The builders on this erf have also violated the road space in Park Street and have dumped building material in the tow path. These activities are illegal in terms of the bylaws and the environmental laws. The builder needs to be stopped by the building inspector from continuing with the building until compliance with the regulations is met.

There are a number of other encroachments with illegal slipways and jetties but those are on state land (admiralty reserve) and are under the jurisdiction of the DEAET who will be dealing with the issues.

There are, however, other encroachments on the Kenton side of the Bushman's River into the Joan Muirhead Reserve which is Municipal land. Boat houses are being rebuilt, to our knowledge, without plans or permission. To our knowledge no alterations or any building activity is allowed to be made to boathouses, jetties/ slipways or fences without application and permission. The land does not belong to any of the owners from the low water mark to the high water mark and to within 30 metres inland of the high water mark. Any activity in these areas without authorization is illegal. It is unlikely that permission will be granted as it falls within the new NEMA (National environmental Management Act, Section 21 (1)).

If you require any of the legal aspect regarding the EIA regulations please contact the DEAET in Port Elizabeth.

Yours faithfully,

Johann Smuts
Chairman Bushman's River Ratepayers Association.

Cc Mr W. Patterson
Mr.R.Pote

Committee: Johann Smuts (Chairman), Eric Sutton (Vice Chairman), Wendy Grove (Secretary), Charles Sprong (Treasurer), CJF Botha, Schalk Kotze, Dennis Laubscher, Jimmy van Rensberg, Matt Mullins, Ian Smith