



BUSHMAN'S RIVER MOUTH / BOESMANSRIVERMOND

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

The Municipal Manager
Ndlambe Municipality
P.O.Box 13,
Port Alfred
6170

19th July, 2006

Objection to Removal of Restrictions, Division, Rezoning or Housing Development of Erf 483 Rivers Bend, Bushman's River Mouth

Dear Sir,

To further our objection to the rezoning of Erf 483 the Bushman's River Mouth Ratepayers Association (BRMRA) brings to your notice the following government regulations under NEMA section 24 (1) and that the ECA, section 22(1), 22 and 26 have been repealed. Property developers are affected by this act, if however the application is pending under ECA (submitted but not finalized on or by the 1st July) it must be finalized under ECA (Section 50(3), NEMA.

To the best of our knowledge the application in terms of EIA regulations was dormant and the Environmental Consultant Dr.Cohen, in this matter has under taken to re advertise the EIA process. We quote from an email received from him. "Think that I created a wrong impression when I said that my client has decided to proceed with the development. The development was never off the table and we had indicated to all who had registered that as soon as we had a workable layout plan we would be in contact and get the full process underway. Notwithstanding the above – I accept your point and we will re-advertise the process to ensure that new persons may register. No registered person will be discarded from the existing list of Interested Parties"

If the process was not registered with the DEAET together with the scoping report, as suggested, in it's current form it will come under the new regulation NEMA Section 24 (1) and GNR 386 "Construction or earth moving activities in the sea or within 100m inland of the high water mark of the sea, *inter alia*, in respect of buildings" It will also come under GNR 386 in terms of "transformation of undeveloped, vacant or derelict land to, *inter alia* residential, mixed, retail, commercial, industrial or institutional use where total area transformed is larger than 1 Hectare. The land in question is 10655sq m or 1,0655 hectares.

Another important point is that the division involves encroachment onto municipal land and road. We are against any sale of municipal land unless absolutely essential. Here are sufficient precedents where this has had both controversial and undesired outcomes.

This does not detract from our previous objection or comments but attempts to clarify matters in terms of the new regulations. In terms of the above we feel it would be extremely unwise consider any rezoning, removal of restrictions, division or housing development on Erf 483 before the EIA process is completed and an ROD issued.

Yours faithfully,

Johann Smuts

Chairman Bushman's River Mouth Ratepayers Association.

cc. Mr A.Struwig DEAET
Mr. F.Fouche
Mr. A Schlemmer
Clr. M.Mike

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.

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