

Mr. Albert Mfenyana
Chief Director Environmental Affairs
Private Bag X 0054
Bhisho
5605

Dear Sir,

We have notified your office, via email, with regard to the road being built next to the west bank of the Bushman's River in the vicinity of the Ghio Bridge. The matter was first raised with the Port Elizabeth office of the DEAET and subsequently referred to your office. There was never a road in this area irrespective of the statement of some financially interested parties claiming there was an old road in existence. We quote from the email, "The land on which the pre-existing roadway is being reinstated is presently registered in the name of Blue Platinum Ventures 67 (Pty) Ltd but will be owned by the RC Von Ruben Family Trust. Russel Von Ruben, one of the Trustees, was given permission by Quintus Hanbiek, the District Manager of Environmental Affairs based in Grahamstown to reinstate the roadway and no mention was made of the need to carry out an E.I.A. or Scoping Report as the Trust was merely reinstating a pre-existing roadway."

There are a number of our members who are willing to provide affidavits to testify that no such road ever existed. We regard the issue as serious as it has implications for our area and the estuary in particular. The parties involved, with what we consider to be a violation of the environmental laws, have also been involved with various other issues which are suspect in our interpretation of the environmental laws. We asked the Port Elizabeth office for copies of any ROD's issued in terms of the environmental laws for the area. No copies have been sent as we suspect that no ROD's were ever issued. These include extended building operations over 3 years without the necessary ROD's and the building of a dam within 100m of the river.

An advert was placed in the Talk of the Town 21st September, 2007 as a public participation process under NEMA (1998) for rezoning and subdivision by the property proximal to land on which the road was built. The owner of the proximal land also, in our opinion, ignored environmental laws by building a dam, bulldozed bush and fenced across the salt marsh within 50m of the river within the last 18 months. We believe that the issue regarding the road needs to be resolved with the correct procedure prior to any consideration being given under the environmental laws for any development.

Several owners of property in the area have made application in the correct manner but it is grossly unfair for these owners to have to go through the correct channels and process and yet others do not and are not censured in any manner.

We trust that your office will attend to the matter in the most diligent manner as it has serious implications the sustainability of the river estuary, the environmental law and our organisation as an environmental body. We will gladly assist you in obtaining any relevant information you may require.

Yours faithfully,

Bushman's Kariega Estuary Care Management Forum