



Western Cape
Government

Western Cape Provincial Coastal Access Audit - Garden Route Municipal District

APPENDIX 2 – STAKEHOLDER SUBMISSIONS

October 2019

The appendices below contain the feedback from stakeholders verbatim. They include email responses as well as written responses obtained during the open days.

Where the emails contained text documents, they have been printed and attached to the email. Where the attachments are images or GIS layers, these can be obtained on request from the Department.

Appendices

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 - Appendix 2 cc: email from J Groenewald dated 30 Sept 2019
-

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Appendix 2 gg: email from K Sauerman dated 26 Sept 2019

Appendix 2 hh: email from K Sauerman dated 2 April 2019

Appendix 2 ii: email from K Sauerman dated 2 April 2019

Appendix 2 jj: email from M Horn dated 1 October 2019

Appendix 2 kk: email from MH Yoon dated 30 Sept 2019

Appendix 2 ll: email from MH Yoon dated 25 March 2019

Appendix 2 mm: email from P Todd dated 25 August 2019

Appendix 2 nn: email from RE Jacobs dated 28 Aug 2019

Appendix 2 oo: Individual feedback forms from Mossel Bay

Appendix 2 pp: Group feedback- Vermaaklikheid

Appendix 2 qq: Documentation submitted in support for historic agreements for access via Fisherman's Village and Nautilus

Appendix 2 rr: Documentation submitted by T Winstanley on behalf of Gourikwa Private Reserve

Appendix 2 ss: Documentation submitted by Moquini Coastal Estate Home Owners Association Excom

Appendix 2 a: Feedback from G Hector

KUSTOEGANG OUDIT

TERUGVOER BLAD

1. Algemene Inligting

| | | |
|---|----------|-------------------------------|
| U naam | | Günther Heesje |
| Die organisasie wat u verteenwoordig (indien enige) | | — |
| Hoe kan ons u kontak? | Selfoon? | 066 280 2429 |
| | Landlyn? | |
| | E-pos? | |
| In watter area is u woonagting? | | ASLA PARK - KWANONGABA |
| Watter strand/ toegangspunt verwys u na? (Wat word dit genoem en waar is dit geleë) | | FISHER MAN VILLAGE - JANABAAI |

2. Waarvoor gebruik u die betrokke area? Merk asseblief die ooreenstemmende blok (lewer asseblief kommentaar in die kolom daarvoor voorsien).

| Aktiviteit | ✓ | Kommentaar |
|---------------------------------|---|-------------------------|
| Swem | | |
| Hengel (sport) | ✓ | WISNANG VIR ONTSPANNING |
| Hengel (bestaans) | | |
| Hengel (kommersieël) | | |
| Stap / wandelpaaie | | |
| Voëlwaarneming | | |
| Met honde stap | | |
| Perdry | | |
| Kultuur-histories | | |
| Geloofs doeleindes | | |
| Erfenis | | |
| Uitsig | | |
| Kampeer | | |
| Veldvoertuie (off-road vehicle) | | |
| Boot tewaterlating | | |
| Toegang vir gestremdes | | |
| Ander | | |

3. Watter verbeterings of veranderings sou u hier wou sien? Lys asseblief hieronder.

| |
|---|
| <p>MEER TOEGANG VIR DIE PUBLIEK EN TOEGANGS- URE AAN TE PAS WANT NA 18H00 KAN ONS NIE TOEGANG VERKRY NIE EN DIS ONREDELIK TEEN- OOR DIE PUBLIEK WAT LARE AL DIE AREA GEBRUIK VIR HENGEL. BY NAUTILUS BAAI KON ONS TEGTYDS TOEGANG KRY BY ZIENAAR MAAR NOU NIE MEER NIE. SAL GRAAG WEEER WIL TOEGANG BENUT BY NAUTILUS VIR DIE PUBLIEK.</p> |
| |
| |

4. Is daar enige kustoegangpunte of terreine waar u of u gemeenskap in die verlede toegang tot gehad het waar sulke toegang nou verhoed word?

| | |
|---|-------------------------------|
| Waar was die toegangspunt en wat was dit genoem? | KAAI-4 HAIWE GEBIED |
| Waarvoor het u dit gebruik? | HENGEL |
| Waarom kan u dit nie meer gebruik nie? | PRIVATISERING EN ONTWIKKELING |
| Het u enige agtergrond / inligting oor die probleem waarvan ons moet kennis neem? | GEEN. |

Appendix 2 b: email from J Lotter dated 3 October 2019

Erik Botha

From: Jaco Lötter <Jaco@tcinc.co.za>
Sent: Thursday, October 03, 2019 11:26 AM
To: Erik Botha
Cc: christo.steenkamp@nautilusbayhoa.co.za; Errol Cerff; Nick Smith
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement Process
Attachments: NBCR PP Comments 3.10.2019.pdf; Ltr MBay Mun 12.12.2018.pdf

NEWS360°

How should I plan for my minor child to inherit?
[See more here](#)

EXTREMELY IMPORTANT:

Due to the risk of email related fraud, please note we will never notify you by email of any change to our bank account details. Should you receive an email that appears to come from us, kindly contact our offices immediately to inform us and verify our account details before making any payments, otherwise our details remain the same.

Dear Mr Botha,

Further to our previous correspondence regarding the above matter, please find attached hereto the submission on behalf of the Nautilus Bay Home Owners Association.

Thank you, once again, for your indulgence in this matter.

Kind regards,

Kind Regards,



Jaco Lötter

Director

Switchboard: 011 880 6695

Facsimile: 086 613 8536

Cellular: 083 600 4903

Email: jaco@tcinc.co.za

Address: 24 Baker Street, Rosebank, Johannesburg,
2196



Tonkin Clacey Inc.
ATTORNEYS IN LEGAL CONSULTANTS

Member of the Pratschoane Herney Group



Disclaimer

From: Erik Botha <erik@erikbotha.co.za>
Sent: Monday, 23 September 2019 3:39 PM
To: Jaco Lötter <Jaco@tcinc.co.za>
Cc: christo.steenkamp@nautilusbayhoa.co.za; Errol Cerff <errol@errolcerff.co.za>
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement Process

Good afternoon Mr Lotter,

That will be in order, we can still accommodate submissions till then.

Regards,

ERIK BOTHA

BSc. MIWMSA

ENVIRONMENTAL MANAGEMENT CONSULTING

Cell: +2782 4516881
Fax: +2786 6567442
www.erikbotha.co.za
15 Brigantine Avenue
Sun Valley
Fish Hoek
7975

From: Jaco Lötter <Jaco@tcinc.co.za>
Sent: Monday, September 23, 2019 11:53 AM
To: Erik Botha <erik@erikbotha.co.za>
Cc: christo.steenkamp@nautilusbayhoa.co.za
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement Process

EXTREMELY IMPORTANT:

Due to the risk of email related fraud, please note we will never notify you by email of any change to our bank account details. Should you receive an email that appears to come from us, kindly contact our offices immediately to inform us and verify our account details before making any payments, otherwise our details remain the same.

Dear Mr Botha,

I address this to you in my capacity as representative of the Nautilus Bay Homeowners Association. The Association intends to make certain representations to you pursuant to your invitation to stakeholders below. In this regard, the Association has instructed a consultant for this purpose. Due to time constraints, our consultant will be able to furnish his submission to you on or before 7 October 2019.

We respectfully apply for the necessary extension of time to **7 October 2019** in order to furnish our submission to you. We trust that you will consider our request favourably.

Kind regards,

Kind Regards,

Jaco Lötter
Director

Switchboard: 011 880 6695
Facsimile: 086 613 8536
Cellular: 083 600 4903
Email: jaco@tcinc.co.za
Address: 24 Baker Street, Rosebank, Johannesburg,
2196

Disclaimer

From: Erik Botha <erik@erikbotha.co.za>

Sent: Wednesday, 21 August 2019 12:39 PM

To: bwondermail@gmail.com; candacemyers29@gmail.com; carol.m@fineandcountry.com; catherinejoystone@gmail.com; cathy@hilland.co.za; charlotte@heidelbergtoerisme.co.za; info@heidelberginfo.co.za; danie.wessels@v3consulting.co.za; mosselbaai@v3consulting.co.za; djb@keurboomslagoon.co.za; dudley@djec.co.za; fmha@fancourt.co.za; francois@fvzarchitects.co.za; Gerhard@udwc.co.za; helen@troy.za.net; henkslander@live.com; henkvosloo@telkomsa.net; info@midbrakratepayers.co.za; info@naturesvalleytrust.co.za; info@oubaaioa.co.za; info@scli.org.za; jfontein3@gmail.com; juanita.e@fineandcountry.com; kiran.parthab@transnet.net; koos.p@telkomsa.net; langvleiduneshoa@gmail.com; lenrauch@mweb.co.za; mariusopperman@telkomsa.net; marplumbridle@gmail.com; Maryke@udwc.co.za; mazoe5@mweb.co.za; mmatzener@telkomsa.net; mornayb@atkv.org.za; mosscc@telkomsa.net; mosselbayweb@mweb.co.za; mpzvanhuyssteen@telkomsa.net; mungusawadi@gmail.com; mwn@telkomsa.net; posselwillem@gmail.com; res@littlerockguesthouse.com; riversidecommunityforum@gmail.com; robang@telkomsa.net; samajiedt@gmail.com; sian@cape-eaprac.co.za; southerncragsconservancy@gmail.com; tmissik@iafrica.com; vermillkl@gmail.com; vobfarm@mweb.co.za; Wilhelm@udwc.co.za; wifreund@gmail.com; Zama.Ndlela@transnet.net; zmbunquka@bgcma.co.za; aloemotors@telkomsa.net; island@hilbert.co.za; jgivrensburg@gmail.com; marzena@telkomsa.net; ejpbouwer@gmail.com; sue@suelane.co.za; jeff@jicomms.co.za; marjorie.r@mweb.co.za; terrycoc@xsinet.co.za; Gawie@innowealth.co.za; nicci@futureworks.co.za; nvanwyk@telkomsa.net; denis.booyesen@hotmail.com; kenwhiley1@gmail.com; jacques@jacquesdmalan.com; arno.greyling@afriforum.co.za; roelfe@gmail.com; rbenew@telkomsa.net; peter.pyke@gmail.com; christa.a.leroux@gmail.com; mornayb@atkv.org.za; SchalkC@atkv.org.za; WernerK@atkv.org.za; Oosie@atkv.org.za; pierre@techtrust.co.za; jonathan@bluepebble.biz; brentonratepayers@gmail.com; pendenis@mweb.co.za; Jaco Lötter <Jaco@tcinc.co.za>; barryjacobs9@gmail.com; guyharrissa@gmail.com; izakg.venter@gmail.com; djb@keurboomslagoon.co.za; bcook@concreteunits.co.za; plettpc@gmail.com; johgroen@mweb.co.za; frits.nortje@gmail.com; chriskritz@gmail.com; carlene.amos@pamgolding.co.za; danielfortuin62@gmail.com; youmike@mweb.co.za; christo.steenkamp@nautilusbayhoa.co.za; info@environmental-services.co.za

Cc: 'leptieshaam Bekko (leptieshaam.Bekko@westerncape.gov.za)' <leptieshaam.Bekko@westerncape.gov.za>; 'Mellisa Naiker (Mellisa.Naiker@westerncape.gov.za)' <Mellisa.Naiker@westerncape.gov.za>; Mercia J Liddle <Mercia.Liddle@westerncape.gov.za>; Errol Cerff <errol@errolcerff.co.za>

Subject: Garden Route Coastal Access Audit: Stakeholder Engagement Process

Dear Stakeholder,

We have now completed our initial survey of the Garden Route coastline. These results of this survey have been captured in a series of tables and annotated on Google Earth. The results were then subjected to review by the Authorities. We now request that stakeholders provide us with their inputs and comments on the results, via e-mail. The following link will take you to a presentation containing information regarding this process as well as the tables and Google Earth files of the areas: (PLEASE READ THE PRESENTATION BEFORE TRYING TO ACCESS THE SURVEY RESULTS). Should you experience difficulty with accessing the information using the link referred to below, please follow the instructions in the attached document.

<https://drive.google.com/open?id=1mxcwajAgfW-mufh9cilCOR-CbDLLDKV>

We request that all inputs and comments reach us by no later than 30 September 2019 please.

Geagte Belanghebbende Party,

Ons het die aanvanklike opname van die studiearea nou voltooi. Die resultate van die opname is in 'n reeks tabelle vervat en ook op Google Earth ge-annotateer. Hierdie resultate is deur die Owerhede hersien. Ons versoek nou dat Belanghebbende Partye ons via e-pos voorsien van hulle kommentaar en insette rakende die resultate. Die volgende skakel sal u na 'n voorlegging insake die proses sowel as die tabelle en Google Earth inhoud neem: (LEES ASSEMBLIEF EERS DIE VOORLEGGING VOORDAT U DIE OPNAME RESULTATE PROBEER OOPMAAK). Indien u probleme ondervind met die skakel en die proses om inligting daardeur te bekom, volg asseblief die instruksies in die aangehegte dokument.

<https://drive.google.com/open?id=1mxcwajAgfW-mufh9ciICOR-CbDLLDKV>

Ons versoek dat alle insette en kommentaar ons asseblief nie later as 30 September 2019 bereik nie.

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HOME OWNERS ASSOCIATION / HUISEIENAARSVERENIGING
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Fax: +27 (0) 44 691 1520
E.mail: status1@status-mark.co.za
Website: www.nautilusbayhoa.co.za
Managing Agents: StatusMark
Contact person: Renzke Moore

Environmental Management Consulting
Attention: Mr. Eric Botha
15 Brigantine Avenue
Sun Valley
Fish Hoek

By e-mail: eric@ericbotha.co.za

3 October 2019

Dear Mr. Botha,

COMMENT BY THE NAUTILUS BAY COASTAL RESERVE HOMEOWNERS ASSOCIATION REGARDING THE INITIAL SURVEY OF THE GARDEN ROUTE COASTLINE AND COASTAL ACCESS ISSUES (WITH PARTICULAR REFERENCE TO BOGGOMSBAAI AND THE SITE REFERENCED AS 'BOG 06' IN THE AFORESAID SURVEY)

1. We refer to the above, and to your e-mail of 21 August 2019 advising stakeholders to provide their inputs and comments on the initial survey of the Garden Route coastline undertaken by Environmental Management Consulting. We confirm that you granted the Nautilus Bay Coastal Reserve Homeowners Association an extension to provide these comments by 7 October 2019.
2. These comments relate to the area of Boggomsbaai that forms part of the initial survey with particular regard to the site referenced as Bog 06 in the initial survey.
3. Under the heading "*Description*" in the survey sheet referencing Bog 06, the following statement is included in the initial survey:

"A further conflict arises from fishermen requesting access through Nautilus Estate to the CPP since the access by foot from the nearest official public access point is claimed to be excessive. Attempt by MBM [a reference to Mossel Bay Municipality] to gain access through Nautilus have been unsuccessful."
4. In respect of the above description from the initial survey, we suggest that for the sake of accuracy and completeness the description should include reference to the distance (measured in kilometres) from the nearest official public access point to the coastal public property on the seaward side of Nautilus Bay Coastal Reserve. We note in this regard and with reference to the PowerPoint presentation attached to the request for comments on the initial survey that in the context of pedestrian access (as reflected on page 7 of the presentation) the presentation acknowledges that for the most part, walking along the shore is currently possible. The importance of quantifying the distance from the nearest official public access point to the coastal public property on the seaward side of Nautilus Bay Coastal Reserve goes to the context of the guidelines pertaining to pedestrian access. The following is stated in the PowerPoint presentation: "*However, the distance that can be walked is dependent on the level of fitness and mobility of the pedestrian and the terrain.*"
5. The Homeowners Association denies the statement in the initial survey to the effect that Mossel Bay Municipality's attempts to date to gain access through Nautilus Bay Coastal Reserve have been unsuccessful.

Home Owners Association Executive Committee Members
Christo Steenkamp (Chairman), Frans van der Pol (Portfolio- Estate Management) , Marius Van Haerden (Portfolio-Aesthetics), René Hodges (Portfolio-Concervancy), Denese Hattingh (Portfolio-Administration)

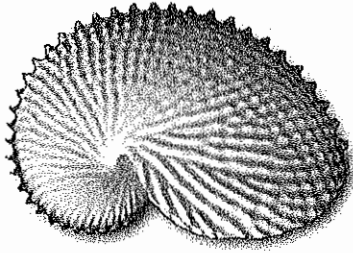
6. On 12 December 2018, the Homeowners Association addressed a letter to Mosel Bay Municipality (for the attention of Messrs. Eddie Kruger and Douw Steyn) in response to correspondence from the Municipality regarding proposed coastal access through Nautilus Bay Coastal Reserve. A copy of that letter is attached to this comment.
7. In the Homeowners Association's letter of 12 December 2018, its chairman set out the Homeowners Association's position in respect of pedestrian access to coastal public property by traversing the private property that encompasses Nautilus Bay Coastal Reserve, based on legal advice sought by the Homeowners Association.
8. The Homeowners Association's letter concluded in the following terms: *"As mentioned in our previous correspondence, we would be pleased to receive from you any constructive proposal or suggestion that may necessitate the consideration of our members....."*
9. To date there has been no substantive response from the Municipality to the Homeowners Association's letter. It is thus incorrect to state that the Municipality's attempts to gain access to coastal public property through Nautilus Bay Coastal Reserve have been unsuccessful. The correct position is that the Municipality has not pursued these issues with the Homeowners Association since the Municipality's receipt of the Homeowners Association's letter in mid-December last year.
10. Under the heading *"Recommendations"* the following is stated in the initial survey and with particular reference to Bog 06: *"The issue of public access through Nautilus Estate needs to be further investigated to determine whether walking from the nearest public access is reasonable and if not whether access must be through Nautilus Estate or if an alternative site is possible. Until this is resolved, this remains a conflict sector."*
11. As pointed out in paragraph 4 of this letter, the question of whether walking from the nearest existing public access point is reasonable (in the context of public access to coastal public property on the seaward side of Nautilus Bay Coastal Reserve) must be determined *inter alia* with reference to the physical distance at issue, and to the extent relevant, the terrain that must be traversed. That distance should be referred to in the next draft of the survey and with particular reference to Bog 06.
12. It is only once the physical distance from the nearest existing public access point to the coastal public property on the seaward side of Nautilus Bay Coastal Reserve has been accurately determined that the question of whether alternative access should be provided arises. A subsidiary question raised in this regard in BoG 06 is whether such public access should be through Nautilus Bay Coastal Reserve or *via* an alternative access point (we note that the latter has not been identified with any particularity in Bog 06 and suggest that any alternative access point/s should also be clearly identified and described in the next draft of the initial survey).
13. In the context of what is set out in this letter, we suggest that it is premature to state (as the initial survey does) that the issue of public access to coastal public property on the seaward side of Nautilus Bay Coastal Reserve is *"a conflict sector"*. The latter statement also appears to contradict the completed table for Bog 06, where the reference under the respective heads *"Concerns"* and *"Needs"* is recorded as *"nil"*.
14. We look forward to hearing from you in response to these comments, and to receipt in due course of the next draft of the initial survey, duly supplemented to take account of these comments.

Yours faithfully



PJ Lötter

For and on behalf of Nautilus Bay Coastal Reserve Home Owners Association



Nautilus Bay Coastal Reserve

HOME OWNERS ASSOCIATION · HUISEIENAARSVERENIGING

Tel: +27 (0) 44 691 3054
Fax: +27 (0) 44 691 1520
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Managing Agents: Statusmark
Contact Person: Renzke Moore

Nautilus Bay Home Owners Association
Portion 1 of Farm Klipfontein, No 344
District of Mossel Bay
PO Box 567, Mossel Bay, 6500

Mr. Eddie Kruger
Mossel Bay Municipality
P O Box 25
Mossel Bay
6500

By e-mail: ekruger@mosselbay.gov.za

Mr. Douw Steyn
Mossel Bay Municipality

By email: dsteyn@mosselbay.gov.za

Dear Sirs

ENQUIRY REGARDING POSSIBLE PUBLIC ACCESS OVER THE IMMOVABLE PROPERTY COMPRISING THE NAUTILUS BAY COASTAL RESERVE

1. We refer to the above and to our correspondence to you of 18 April 2018 and 11 May 2018 respectively, the Municipality's e-mail of 28 November 2018, and the e-mailed response (on the same day) addressed to you by Mr J Lötter in his capacity as Chairman of the Nautilus Bay Homeowners Association ("the Association").
2. As we conveyed to you in the e-mail of 28 November 2018, the Association's legal representatives were instructed to furnish written legal advice to the Association, which advice we have now received.
3. As regards the e-mail from the Municipality's Mr. Douw Steyn dated 28 November 2018 and in particular the Municipality's Legal Services' request for our written inputs "... *rakende die kwessie van redelike toegang vir die publiek na die kus oor HEV elendom (soos bepaal in Art 13 van Wet 24 van 2008) voor of op 7 Desember 2018 ten einde 'n Inqeliade besluit te neem oor moontlike verdere optrede*", we are advised that the legal position is as follows:
 - 3.1. Your e-mail of 28 November 2018 suggests that reasonable access on the part of the general public to the sea-shore over the Association's property is regulated in terms of section 13 of the National Environmental Management: Integrated Coastal Management Act ("NEM: ICMA").
 - 3.2. Our legal advisors have informed us that section 13 of NEM: ICMA entitles any natural person in the Republic to the right of reasonable access to coastal public property, as defined in and regulated by NEM: ICMA.

HOME OWNERS ASSOCIATION EXECUTIVE COMMITTEE MEMBERS:

| | | |
|------------------------|--------------|--|
| Jaco Lotter (Chairman) | 083 600 4903 | jaco@tcinc.co.za |
| Johann van Deventer | 083 656 6997 | johann@8nautilus.co.za |
| Rudi van Graan | 082 445 3598 | rudi@technochair.co.za |
| Kobus Steyn | 081 586 4848 | kobussteyn24@gmail.com |
| Rene Hodges | 082 341 0582 | rrhodges37@gmail.com |

ESTATE MANAGER:

Anton van der Westhuizen
083 601 2831
antonvdw57@gmail.com

Office hours: 07h30 to 17h30

- 3.3. The composition of coastal public property is regulated by section 7 of the NEM: ICMA. There are 8 categories of coastal public property which include: coastal waters; the sea-shore; any admiralty reserve owned by the State; and any land owned or controlled by the State which has been declared (under section 8 of the NEM: ICMA) to be coastal public property.
- 3.4. Our legal advisors point out that the immovable property that comprises Nautilus Bay Coastal Reserve falls within none of these categories. Nautilus Bay is therefore not itself coastal public property to which the public has a right of access in terms of section 13 of NEM: ICMA.
- 3.5. We point out for the sake of completeness that the Nautilus Bay Coastal Reserve's immovable property extends to the high-water mark of the sea, and as such, that the area between the low- and high-water marks (defined in the NEM: ICMA as the sea-shore) comprises coastal public property in this instance. Such property is freely accessible at points of access on either side of the Nautilus Bay Coastal Reserve.
- 3.6. Furthermore, access to coastal public property is required to be reasonable. In order to ensure reasonable access (which does not impact negatively on the receiving environment, and which is in the interests of the whole community),¹ the Municipality is mandated in terms of section 18 of NEM: ICMA to designate coastal access land. Our legal advisors point out that this process involves:
- 3.6.1. The making of a by-law by the Municipality that designates strips of land as coastal access land;²
- 3.6.2. assessment of the impacts associated with such designation;³
- 3.6.3. consultation with interested and affected parties;⁴ and
- 3.6.4. giving notice of the intended designation to the relevant landowner.
- 3.7. To the best of our knowledge, the above process has not yet been completed by the Municipality, and accordingly coastal access land has not yet been formally designated.
- 3.8. It follows, based on the legal advice provided to the Association, that members of the public (including the anglers and/or anglers' association who or which have approached the Municipality) are not entitled to demand access to the immovable property comprising Nautilus Bay Coastal Reserve. As such, and in the circumstances, the Homeowners Association is unable to accede to such request.
- 3.9. As mentioned in our previous correspondence, we would be pleased to receive from you any constructive proposal or suggestion that may necessitate the consideration of our members. Kindly also note the interest of the Association in any process you may undertake in this regard.
- 3.10. The Association's rights in this regard are, and remain expressly reserved.

Yours faithfully,

**THE EXECUTIVE COMMITTEE
NAUTILUS BAY COASTAL RESERVE**

¹ Section 13(2) of NEM:ICMA.

² Section 18(1) of NEM:ICMA.

³ Section 19(a) of NEM:ICMA.

⁴ Section 19(b) of NEM:ICMA.

Appendix 2 c: email from M Pauw dated 16 Sept 2019

Erik Botha

From: Pauw, Martin [cmp1@sun.ac.za] <cmp1@sun.ac.za>
Sent: Monday, September 16, 2019 6:16 PM
To: Erik Botha; Wyndham Moore
Cc: Callie Moller; Errol Cerff
Subject: RE: Site Ref VLE 03

Baie dankie Erik en ook aan Wyndham

Aktiwiteite op hierdie stuk strand tussen Vleesbaai en Boggomsbaai:
By die lys kan **angling** ook gevoeg word.
Die gebied is baie populêr onder strandhengelaars en veral tydens hengelkompetisies.

Martin Pauw
044 699 1038
084 951 0242

From: Erik Botha [mailto:erik@erikbotha.co.za]
Sent: 16 September 2019 10:22 AM
To: Wyndham Moore
Cc: Pauw, Martin [cmp1@sun.ac.za]; Callie Moller; Errol Cerff
Subject: RE: Site Ref VLE 03

Baie dankie Wyndam,

Ek sal dit so in ons verslag rapporteer.

Groete,

ERIK BOTHA

BSc. MIWMSA

ENVIRONMENTAL MANAGEMENT CONSULTING

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15 Brigantine Avenue
Sun Valley
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7975

From: Wyndham Moore <wyndhamm@mweb.co.za>
Sent: Sunday, September 15, 2019 10:29 AM
To: Erik Botha <erik@erikbotha.co.za>
Cc: Martin Pauw <cmp1@sun.ac.za>; Callie Moller <vleesbedryf@iafrica.com>
Subject: Site Ref VLE 03

Beste Erik

Kommentaar op op die inligting van Vle 03 Vleesbaai:

Facilities provided: This beach area is easily accessible by foot from either Vleesbaai and Boggomsbaai and is a popular area for walking, oyster harvesting, bait collection and swimming (at Grootkloof). It is also part of the route of the internationally known Oyster Cather hiking route, which follows the beach from Danabaai, through Vleesbaai and then on the footpath to Fransmanshoek and Kanon.

Groete
Wyndham Moore
Vleesbaai
083 411 0190



The integrity and confidentiality of this email are governed by these terms. [Disclaimer](#)
Die integriteit en vertroulikheid van hierdie e-pos word deur die volgende bepalinge heroef. [Vrywaringsklousule](#)

Appendix 2 d: email from C Meyer dated 13 Sept 2019

Erik Botha

From: Catherine <catherineraphaely@gmail.com>
Sent: Friday, September 13, 2019 1:18 PM
To: Catherine Meyer; tandi@coastwise.co.za
Cc: 'Gerard van Weele'; 'Marlene Laros'; 'Caren George'; 'Nyanisa Tshaya'; estuaries@capenature.co.za; 'Natasha Nefdt'; Errol Cerff; Erik Botha
Subject: MANAGEMENT PLAN: WESTERN CAPE DEA & DP: DUIVENHOKS RIVER: ESTUARY MANAGEMENT: FEEDBACK NEEDED

Good afternoon,

I have now had time to read the document more thoroughly and have some additional feedback:

1. No wake zone - Please could you explain the thinking behind the proposed zonation?
2. The Sea-shore Act read with the transitional and savings provisions in the Integrated Coastal Management Act has bearing on the following:
 - 2.1. Page 39 - Section 6.3.2. Coastal Protection Zone
 - 2.2. Page 12 - Section 4.2. Strategic Objectives - Table 2 - 3 - Retreat from EFZ
 - 2.3. Page 12 - Section 4.2. Strategic Objectives - Table 2 - 5 - Public access to the coast/Public launch site listed
 - 2.4. Page 21 - Section 5.2. Biodiversity Conservation - Table 5.b EFZ controls/no further development in EFZ
 - 2.6. Page 21 - Section 5.2. Biodiversity Conservation -Table 5.c. - Bylaws developed and gazetted
 - 2.7. Page 23 - Section 5.3. Table 6 - a and b. - Ensuring the incorporation of the EMP and special zonation plan/No further development, infilling or land transformation of the EFZ.
 - 2.8. Page 24 - Section 5.3. Table 6 - 3.2.a and b. - Land-use set-back developed, retreat from EFZ/land-use set-back developed
 - 2.9. Page 26 - Section 5.4. Institutional and Management Structures - Table 7.a - EMP and zonation plan adopted
 - 2.9. Page 30 - Section 5.5. Socio-Economic Considerations - Table 8. d - Regulations, bylaws developed/enforced/zones demarcated
 - 2.10. Page 32 - Section 5.5. Socio-Economic Considerations - Table 8 - Management Objective 5.4.a - Public access to the coastal zone
 - 2.11. Page 33 - Section 5.5. Socio-Economic Considerations - Table 8 - Management Objective 5.4.b - Review the need for a public launch site
 - 2.12. Page 44 - Bait Harvesting Zone - The implementation of the CPZ and CML
 - 2.13. Page 46 - Zonation Prescriptions - Table 12 - Access to the area allocated for bait harvesting is prohibited

Estuary/river conditions are not identical to those on the coast and different value systems should be applied - also compensation for farmers should be considered for any farmers who would lose land and usage thereof.

3. River Compliance Patrols - The current protocol is inadequate as operational one month only and 8 (daylight) hours per day.
4. Additional Public Launch Site - Please advise what is proposed with regard to the informal slipway near the mouth, should the proposed provision of the new "alternative" public launch site near the mouth be implemented. The majority of the local community do not have boats, holiday makers use their own jetties or the formal slipway in the village. Generally speaking, the informal public launch site is being used by recreational fishermen who do not own property in the area. Two slipways will necessitate additional monitoring expense - there has been no monitoring, nor control of the current informal slipway.

5. Page 3 - Mandate & Responsibility - Section 8 (1) and the public participation process in accordance with Part 5 of Chapter 6 of ICMA - The farmers at the mouth were not contacted/notified, nor, therefore consulted.
6. Page 8 - Socio Economic Context - Kleinefontein and Koensrust provide permanent employment for members of the community.
7. Page 10 - Local vision & Objectives - The main sources of employment in the area are farming, fishing, removal of alien vegetation and domestic work for holiday makers. As far as I am aware, commercial fishing does not occur in the estuary - fishing in the estuary is conducted for recreational purposes only.
8. Page 18 - Section 5.1. Estuarine Health & Function - Table 4.1.I. Eradicate alien fish - Please could further explanation be provided.
9. Page 30 - Section 5.5. Table 8 - 5.1.a and b. - Socio-Economic Considerations - Subsistence and vulnerable users/living resource use - Fishing on the Duivenhoks cannot be relied upon to provide subsistence and does not do so. Fish populations are under increased pressure and under threat, are decreasing and should be conserved and rehabilitated and fishing tightly controlled/limited. Alternative means of generating income and employment are needed.
10. Page 43 - Figure 8 - Section 6.4. Zonation and Activities - 6.4.1. Map illustrating farm boundaries - The area adjacent to Basjaans Baai Private Nature Reserve appears to be labelled Kleinefontein which is the same name as my property - I've spoken to their representative and they say that their farm does not go by that name.
11. Page 43 - Figure 8 - Section 6.4. Zonation and Activities - 6.4.1. Table 11. Kleinefontein is zoned Agricultural Zone II
12. Page 44 - Section 6.4.2. Proposed Spatial Zonation - Fish Sanctuary - Please could you advise the location of the head of the estuary so we can have clarity on where the middle and upper section of the estuary are located. The EMP states that the greatest abundance and diversity of fish species resides in the middle to upper portion of the estuary, but is this correct if the fishing pressure most intense in the area adjacent to the boundary of the proposed no take zone?
13. Page 47 - 7.1.2. Error

These were my comments from the email dated (30/08/19) - The reference to "Cobb Corner" was incorrect, it should be "Palm Tree Bend":

1. Fish Sanctuary Zone - Fishing has increased dramatically over the past few years, especially since restrictions have been applied at Stilbaai. I would go as far to say that the recreational fishing has been increased by 400 %. I am concerned that the fish populations from Palm Tree Bend to my gate are therefore at serious risk. I understand that the nursery areas are being protected but, are the genes of the bigger fish not equally important? If they are removed from the system, will this not also affect the genetic strength of the nursery and the fish population in general?
2. Bait Harvesting Zone - The document forbids harvesting of bait in a zone where there is a "less stable" prawn population than on the other side. The biomass on the eastern bank which is owned by me seems to be higher and is under more pressure. Additionally, access is currently prohibited to the area proposed for bait harvesting as per legislation with specific reference to the Sea-shore Act read with the transitional and savings provisions in the Integrated Coastal Management Act. I am unwilling to allow access due to the increasing risk of fire, pollution and crime and, concerns with regard to overharvesting due to the abovementioned increase in recreational fishing.
3. Egyptian Geese - Is it possible to get more information as to why their numbers should be controlled? I have only had one breeding pair on my bend of the river for 14 years and I'm very fond of them 😊.
4. Classification as "Open Space Zone" or "Nature Reserve" - I see that Kleinefontein is being classified as such - Please could you explain what this means as I could not find any definition? Kleinefontein has not been formally declared a nature reserve and I intend to re-introduce some livestock next year. When the farm was purchased, it was originally zoned as Agricultural Zone A and then was rezoned subsequently - I have requested clarification from the Hessequa Municipality as to the correct classifications and have feedback, please see below.
5. It is a concern that neither myself nor Eddie De Villiers, Francois Du Plessis and Pietie Rall have been consulted, nor were we invited to the two stakeholder meetings. I am not a member of The Duivenhoks Conservancy, and nor is Pietie Rall. I am not sure about Eddie and Francois. There are only four large farms left at the mouth which is the most pristine and vulnerable area, so it's a pity that we were not contacted

somehow. I understand that the Conservancy was contacted and also certain Agricultural bodies but, given that they didn't suggest that we be contacted, would suggest that perhaps Municipalities could be contacted in the future as they have our email addresses since they bill us for rates! For your information here are their contact details: Eddie De Villiers eddieev2@gmail.com Francois Du Plessis francois@dupmail.com , Adrian Mocke (028-514-1112) and Pietie Rall RallBrakfontein@vodamail.co.za I am not in touch with the Barnard family who own the land opposite Kleinefontein close to Palm Tree Bend.

From: Paul Louw <paul@hessequa.gov.za>

Date: Friday 30 August 2019 at 2:58 PM

To: Catherine <catherineraphaely@gmail.com>

Cc: Collab Info <info@hessequa.gov.za>, Raimo Fernandez <raimo@hessequa.gov.za>, Lelanie Steyn <lelanie@hessequa.gov.za>

Subject: RE: ZONATION: KLEINEFONTEIN: ERF00503011: CLASSIFICATION: FEEDBACK NEEDED

Dear Catherine

In terms of the old Section 8 Zoning Scheme Regulations, Portion 11 of the Farm Kleinefontein, No. 503, was zoned as Agriculture Zone I, which is normal agriculture.

According to the new Hessequa Zoning Scheme By-Law, 2018, the old Agriculture Zone I is replaced by the new Agriculture Zone II, but everything stays the same.

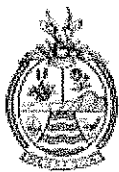
So to answer your questions:

1. Agriculture Zone II.
2. The same restrictions are applicable as before.
3. The reason was that the municipality adopted one new zoning scheme, that replaced the six zoning schemes that was applicable to Hessequa.

If you need more clarity, please contact this office.

Trust you find this in order.

Kind regards



Paul Louw (MTRP)(MSS) (JFS) Pr. Pln. (MSAPI)

Manager: Town Planning

Bestuurder: Stadsbeplanning

Directorate: Development Planning

Direktoraat: Ontwikkelingsbeplanning

Hessequa Municipality

Hessequa Munisipaliteit

Kantoor/Office: +27 (0) 28 713 8074 | **E-mail/pos:** paul@hessequa.gov.za | **web site/tuiste:** www.hessequa.gov.za

Physical Address: Civic Centre, Van Den Berg Street, Riversdale, 6670 / **PO Box 29, Riversdale, 6670**
Fisiese Adres: Burgersentrum, Van Den Bergstraat, Riversdal, 6670 / **Posbus 29, Riversdal, 6670**

I hope that the above feedback is helpful - please could someone give me feedback directly with regard to the above.

All the best

Catherine Raphaely (082-863-1700)

From: Catherine <catherineraphaely@gmail.com>

Date: Friday 30 August 2019 at 3:54 PM

To: Catherine Meyer <catherine@coastwise.co.za>, <tandi@coastwise.co.za>
Cc: 'Gerard van Weele' <gerard.vanweele@rhdhv.com>, 'Marlene Laros' <Marlene.Laros@westerncape.gov.za>, 'Caren George' <Caren.George@westerncape.gov.za>, 'Nyanisa Tshaya' <Nyanisa.Tshaya@westerncape.gov.za>, <estuaries@capenature.co.za>, 'Natasha Nefdt' <nnefdt@capenature.co.za>
Subject: MANAGEMENT PLAN: WESTERN CAPE DEA & DP: DUIVENHOKS RIVER: ESTUARY MANAGEMENT: FEEDBACK NEEDED

Hi Catherine,

Thanks very much for your feedback this morning as well.

Below is feedback from the Hessequa Municipality with regard to the zonation of Kleinefontein - I hope that this is helpful.

All the best
Catherine

From: Paul Louw <paul@hessequa.gov.za>
Date: Friday 30 August 2019 at 2:58 PM
To: Catherine <catherineraphaely@gmail.com>
Cc: Collab Info <info@hessequa.gov.za>, Raimo Fernandez <raimo@hessequa.gov.za>, Lelanie Steyn <lelanie@hessequa.gov.za>
Subject: RE: ZONATION: KLEINEFONTEIN: ERF00503011: CLASSIFICATION: FEEDBACK NEEDED

Dear Catherine

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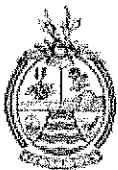
So to answer your questions:

1. Agriculture Zone II.
2. The same restrictions are applicable as before.
3. The reason was that the municipality adopted one new zoning scheme, that replaced the six zoning schemes that was applicable to Hessequa.

If you need more clarity, please contact this office.

Trust you find this in order.

Kind regards



Paul Louw (MTRP)(MSS) (UFS) Pr. Pln. (MSAPI)
Manager: Town Planning
Bestuurder: Stadsbeplanning
Directorate: Development Planning
Direktoraat: Ontwikkelingsbeplanning
Hessequa Municipality
Hessequa Munisipaliteit
Kantoor/Office: +27 (0) 28 713 8074 | E-mail/pos: paul@hessequa.gov.za | web site/tuiste:www.hessequa.gov.za

Physical Address: Civic Centre, Van Den Berg Street, Riversdale, 6670 / PO Box 29, Riversdale,
6670 Fisiese Adres: Burgersentrum, Van Den Bergstraat, Riversdal, 6670 / Posbus 29, Riversdal,
6670

From: Catherine Meyer <catherine@coastwise.co.za>

Date: Friday 30 August 2019 at 2:57 PM

To: 'Catherine' <catherineraphaely@gmail.com>, <tandi@coastwise.co.za>

Cc: 'Gerard van Weele' <gerard.vanweele@rhdhv.com>, 'Marlene Laros' <Marlene.Laros@westerncape.gov.za>, 'Caren George' <Caren.George@westerncape.gov.za>, 'Nyanisa Tshaya' <Nyanisa.Tshaya@westerncape.gov.za>, <estuaries@capenature.co.za>, 'Natasha Nefdt' <nnefdt@capenature.co.za>

Subject: RE: MANAGEMENT PLAN: WESTERN CAPE DEA & DP: DUIVENHOKS RIVER: ESTUARY MANAGEMENT: FEEDBACK NEEDED

Dear Catherine,

Thank you very much for your informative telephone conversation earlier today. Your time and insight is much appreciated.

Thank you also for the follow up email and expressing your concerns in writing.

All comments will be addressed after the closure of the comment period, and we endeavour to provide you with feedback.

Kindest regards,

Catherine Meyer



Tel: 031-764 4947

Cell: 082 7366 357

9 Edward Drive, Gillitts, 3610

catherine@coastwise.co.za, www.coastwise.co.za

From: Catherine [mailto:catherineraphaely@gmail.com]

Sent: 30 August 2019 02:23 PM

To: tandi@coastwise.co.za

Cc: Gerard van Weele <gerard.vanweele@rhdhv.com>; Marlene Laros <Marlene.Laros@westerncape.gov.za>; Caren George <Caren.George@westerncape.gov.za>; 'Nyanisa Tshaya' <Nyanisa.Tshaya@westerncape.gov.za>; estuaries@capenature.co.za; 'Natasha Nefdt' <nnefdt@capenature.co.za>; catherine@coastwise.co.za

Subject: MANAGEMENT PLAN: WESTERN CAPE DEA & DP: DUIVENHOKS RIVER: ESTUARY MANAGEMENT: FEEDBACK NEEDED

Hi Tandi,

I hope that you are well.

I own Kleinefontein, a farm which is located close to the Duivenhoks Estuary.

I would like to give some feedback with regard to the above:

1. Fish Sanctuary Zone - Fishing has increased dramatically over the past few years, especially since restrictions have been applied at Stilbaai. I would go as far to say that the recreational fishing has been increased by 400 %. I am concerned that the fish populations from Cobb Corner to my gate are therefore at serious risk. I understand that the nursery areas are being protected but, are the genes of the bigger fish not equally important? If they are removed from the system, will this not also affect the genetic strength of the nursery and the fish population in general?
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3. Egyptian Geese - Is it possible to get more information as to why their numbers should be controlled? I have only had one breeding pair on my bend of the river for 14 years and I'm very fond of them 😊.
4. Classification as "Open Space Zone" or "Nature Reserve" - I see that Kleinefontein is being classified as such - Please could you explain what this means as I could not find any definition? Kleinefontein has not been formally declared a nature reserve and I intend to re-introduce some livestock next year. When the farm was purchased, it was originally zoned as Agricultural Zone A and then was rezoned subsequently - I have requested clarification from the Hessequa Municipality as to the correct classifications and will revert.
5. It is a concern to me that neither myself nor Eddie De Villiers, Francois Du Plessis and Pietie Rall have been consulted, nor were we invited to the two stakeholder meetings. I am not a member of The Duivenhoks Conservancy, and nor is Pietie Rall. I am not sure about Eddie and Francois. There are only four large farms left at the mouth which is the most pristine and vulnerable area, so it's a pity that we were not contacted somehow. I understand that the Conservancy was contacted and also certain Agricultural bodies but, given that they didn't suggest that we be contacted, would suggest that perhaps Municipalities could be contacted in the future as they have our email addresses since they bill us for rates! For your information here are their contact details: Eddie De Villiers eddiev2@gmail.com Francois Du Plessis francois@dupmail.com , Adrian Mocke (028-514-1112) and Pietie Rall RallBrakfontein@vodamail.co.za I am not in touch with the Barnard family who own the land opposite Kleinefontein close to Cobb Corner.

Now that we are in touch - Please could we be kept in mind and please could someone give me feedback directly with regard to the above.

I look forward to hearing from you.

All the best

Catherine Raphaely (082-863-1700)

Begin forwarded message:

From: "Allison Bryant" <abryant@mweb.co.za>

Date: 18 August 2019 at 12:12:32 SAST

To: "'Sonja Walker'" <walker.sonja@gmail.com>, "'Anton Bartman'" <anton@factoryspace.co.za>, <gill.smith@live.com>, "'Frai Uitsig'" <frai.uitsigt@easycoms.co.za>, "'Henry van der Hoven'" <hvdh@easycoms.co.za>, "'Herman Van As'" <hermanva@easycoms.co.za>, "'Jan Hennop'" <jan@jala.co.za>, "'Steve Eales'" <steveeales1@gmail.com>, "Wallie Krumm" <wkrumm@telkomsa.net>

Subject: FW: 30 day comment period for 17 new WC Estuarine Management Plans (1)

For info

From: tandi@coastwise.co.za [mailto:tandi@coastwise.co.za]
Sent: 16 August 2019 03:56 PM
To: tandi@coastwise.co.za
Cc: Gerard van Weele <gerard.vanweele@rhdhv.com>; Marlene Laros <Marlene.Laros@westerncape.gov.za>; Caren George <Caren.George@westerncape.gov.za>; 'Nyanisa Tshaya' <Nyanisa.Tshaya@westerncape.gov.za>; estuaries@capenature.co.za; 'Natasha Nefdt' <nnefdt@capenature.co.za>
Subject: 30 day comment period for 17 new WC Estuarine Management Plans (1)

Dear Western Cape estuarine authorities, stakeholders and custodians,

The Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) is completing a programme of updating existing estuary management plans (EMPs), compiling 17 new estuary management plans, compiling 12 estuary mouth management plans and setting in place an overall estuary management framework for the province – collectively termed the Western Cape Estuarine Management Framework and Implementation Strategy (EMFIS).

The final drafts of both the situation assessment reports (SARs) and estuarine management plans (EMPs) for the new selected estuaries as part of EMFIS are now available for comment. Plans were prepared for the following 17 estuaries:

- West Coast District: Sout, Jakkalsvlei and Wadrift;
- Overberg District: Rooiels, Buffels Oos, Palmiet, Ratel and Klipdrifsfontein; and
- Garden Route District: Duiwenhoks, Blinde, Maalgate, Gwaing, Kaaimans, Piesang, Matjies, Sout (Oos), Groot (Wes)

These can be accessed from the following two websites:

<https://sites.google.com/site/westerncapeestuaries/> or <https://royalhaskoningdhv.box.com/s/azdb5jbuntyzajlotxd7g6r2w6b5cesk>

Please note that these are hyperlinked so you just have to press and hold 'Control' and click on them to access the files.

Should you have any trouble in accessing them please contact us. A period of 30 days is provided for public (written) comment, which must reach us by the 15th of September 2019.

Apologies for any cross-over e-mails

Many thanks and kind regards

Tandi

Tandi Breetzke



031-764 4947, 082 8737 400, 9 Edward Drive Gillitts 3610

tandi@coastwise.co.za, www.coastwise.co.za

Tandi Breetzke



031-764 4947, 082 8737 400, 9 Edward Drive Gillitts 3610

tandi@coastwise.co.za, www.coastwise.co.za

Appendix 2 e: email from T Cockroft dated 28 August 2019

Erik Botha

From: Terry Cockcroft <terrycoc@xsinet.co.za>
Sent: Wednesday, August 28, 2019 7:48 PM
To: Erik Botha
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement Process

Dear Erik,

I have lived in Sedgefield for over 16 years & have been coming to the area for over 40 years. I feel that most of your interpretation of the Sedgefield area is spot on. However, the area to the North of the Swartvlei Caravan/Camping Park is shown as **Yellow – Restricted** – but in fact there is a section along the shoreline adjacent to the caravan/camping park which should be coloured **Orange** as it accessible by foot. I am not aware of any boat launching area there as well? There is a surfaced road about 20 inland from the shoreline of the park. I guess that there are even some folk that go by foot along the shoreline too, to the East. To the West it is very soggy & wet at all times.

From the parking area at the Swartvlei mouth to the vicinity of Pilli Pilli Restaurant, there is no vehicular access at all. It should be **Orange** too. As one approaches Buffalo Bay from the Sedgefield side there are a lot of people who walk along the beach in that area & fish as well. I feel it is not correct to show that as **Yellow**. Perhaps it should be **Orange** too???

However, as Swartvlei is really part of the Estuary, perhaps your evaluation should have gone at least as far as the N2 bridge, or even up to the old Railway bridge?

Regards

Terry Cockcroft Pr Eng, BSc (Civil Eng) UCT 1960

Email: terrycoc@xsinet.co.za

Cell: 062 693 6491

Home: +27 44 343 2557

P O Box 753,

Sedgefield 6573

Appendix 2 f: email from C Pitzer dated 26 August 2019

Erik Botha

From: Chris Pitzer <althealth@mweb.co.za>
Sent: Monday, August 26, 2019 9:15 AM
To: Erik Botha
Cc: 'Askari'
Subject: RE: Eden District Coastal Access Audit: Stakeholder Engagement Open Days

Good Day

Thank you for providing this forum

We are “incomers” to the EDEN DISTRICT residing in DANABA AI

Exploring the area appeared to be a natural action as well as determining the herbal and medicinal growth contents of the area with accompany photographs

We had a very upsetting experience and this action is welcomed with thanks

THIRD BEACH DANABA AI

Security guards at a gate prevented me entering this area I found this very strange as the law [to my knowledge and confirmed in your opening remarks]is clear in this regard:

Every person in South Africa has a right of reasonable access to coastal public property. Every person is entitled to use and enjoy coastal public property, provided such use does not negatively affect the rights of others to use and enjoy coastal public property or does not negatively affect to the environment. No person may prevent access to coastal public property except where it forms part of a protected area or it is in the interests of the whole community or national security to restrict access.

Coastal public property belongs to all citizens and is held in trust by the State on behalf of the citizens of South Africa. It may not be sold. No access fee may be charged for access to beaches without the approval of the Minister of Environmental Affairs.

The State must ensure that it is used, managed, protected and conserved and enhanced in the interests of the whole community. One of the features of NEM:ICMA is that the “whole community” includes the interests of both

humans and ecosystems: healthy and productive ecosystems and the interests of other living organisms that are dependent on the coastal environment must also be taken into account when the state exercises its duties in the public coastal zone.

Municipalities are obliged to designate coastal access land and when determining the boundaries, they must take into account the kind of access required (e.g. for pedestrians, vehicles or vessels) and the need for parking, recreational and ablution facilities amongst others.

The CLIFTON SCENARIO is well documented and may not be exactly the same as what we experienced, however the feedback and legal confirmation appears to be the same and I quote : “a statement on Thursday, the City’s executive director for safety and security, Richard Bosman, said the City has no contract with PPA and that the company was not operating on its instructions.

He said the City’s beaches were open to all members of the public.

Private security companies have no mandate to enforce municipal by-laws.

Feedback from resident were conflicting suggesting that my “rights” to visit the THIRD BEACH were NOT infringed as I am allowed to “walk” via SECOND BEACH [but noted that the return could be dangerous in the event of HIGH TIDES and ROCKS AND obviously it is not wheelchair or ELDERLY friendly. Another “suggestion” is to obtain a “fishing permit” that would allow entry.

The access road appears to be a “public road” to a point, after that entry and access is prevented to certain people

I refer to the “right” and legal standing in the province as well as a very recent judgment in the Western Cape High Court in this regard:

Every person in South Africa has a right of reasonable access to coastal public property. Every person is entitled to use and enjoy coastal public property, provided such use does not negatively affect the rights of others to use and enjoy coastal public property or does not negatively affect to the environment. No person may prevent access to coastal public property except where it forms part of a protected area or it is in the interests of the whole community or national security to restrict access.

Pinnacle Point as well as the areas now being developed for retirement proof to be the same, however in the retirement village you are welcomed “provided” you enter via the sales office.

The NAUTICAL beaches cannot be accessed at all which to me as a citizen should not be

I would like to stress that I honor the privacy and private properties and it is NOT my intention to infringe on their rights, nor should they infringe on my rights.

I would not be able to attend the public hearings as I would be out of town on this dates. I would like to offer my proxy to submit this writing that can “speak” on my behalf

I await your favorable respond with thanks

HERBAL GREETINGS KRUIE GROETE

Dr Chris Pitzer D.MMS

Cert.Iridologist Tr.Med Dr

Herbalist Alternative practitioner

Volksgeneesheer

0832068401

From: Erik Botha <erik@erikbotha.co.za>

Sent: Wednesday, August 21, 2019 15:35

To: bernardcayton@gmail.com; Leslin.Anderson@LABOUR.gov.za; jjmarinesales@absamail.co.za;

Terence.Barnardo@labour.gov.za; lawclinic@mweb.co.za

Cc: Manuel, Warren <wmanuel@mosselbay.gov.za>; Errol Cerff <errol@errolcerff.co.za>; Venter, Carel

<cventer@mosselbay.gov.za>; Steyn, Douw <dsteyn@mosselbay.gov.za>

Subject: Eden District Coastal Access Audit: Stakeholder Engagement Open Days

Dear Stakeholder,

The WESTERN CAPE GOVERNMENT (WCG), Department of Environmental Affairs and Development Planning (DEA&DP), has commissioned an audit of all historical, existing access points along the Eden Coastline where the public have, are and/or still wish to access the coast. This initiative is in support of the Eden District Municipality and gives effect to the Provincial and Municipal Coastal Management Programmes as well as the Provincial Coastal Access Strategy and Plan. The Directorate: Biodiversity and Coastal Management cordially invite interested and affected parties to attend any of the public open days mentioned in the attached invitation. The consulting team will be available at the venue for the duration of the advertised times.

Please note that the bulk of the stakeholder engagement process continues as before via electronic media. The intent is not to exclude any Municipalities or limit our interaction with the public but rather to respond to specific requests for public open days in three communities, namely Albertinia, Vermaaklikheid and Dalmeida (Mossel

Bay). The purpose of the public open days is twofold. Firstly, these are communities where there is currently a clear conflict over coastal access. Secondly these are communities where a significant proportion of the residents experienced challenges when it came to accessing the digital stakeholder engagement process due to limited access to electronic media.

We have now completed our initial survey of the Garden Route coastline. These results of this survey have been captured in a series of tables and annotated on Google Earth. The results were then subjected to review by the Authorities. We now request that stakeholders provide us with their inputs and comments on the results, via e-mail. The following link will take you to a presentation containing information regarding this process as well as the tables and Google Earth files of the areas: (PLEASE READ THE PRESENTATION BEFORE TRYING TO ACCESS THE SURVEY RESULTS). Should you experience difficulty with accessing the information using the link referred to below, please follow the instructions in the attached document.

<https://drive.google.com/open?id=1mxcwajAgfW-mufh9cilCOR-CbDLLDKV>

We request that all inputs and comments reach us by no later than 30 September 2019 please.

Geagte Belanghebbende Party,

Die WES-KAAPSE REGERING (WKR), Departement van Omgewingsake en Ontwikkelingsbeplanning (DOS & OB) het opdrag gegee dat 'n oudit gedoen word van alle historiese, bestaande toegangspunte langs die Eden-kuslyn waar die publiek toegang tot die kus het, of waar dit benodig word. Hierdie inisiatief is ter ondersteuning van die Eden Distriksmunisipaliteit en gee uitvoering aan die Provinsiale en Munisipale Kusbestuursprogramme asook die Provinsiale Kustoegangstrategie en -plan. Die Direkoraat: Biodiversiteit en Kusbestuur nooi belangstellende en geaffekteerde partye hartlik uit om enige van die publieke opedae in die aangehegde kennisgewing gemeld by te woon. Die projekkonsultante sal vir die volle verloop van die ge-adverteerde tye by die betrokke lokale beskikbaar wees.

Neem asseblief kennis dat die meerderheid van die openbare skakeling nog steeds soos van tevore deur middel van elektroniese media sal geskied. Die bedoeling met die opedae is nie om enige Munisipaliteite uit te sluit of om ons interaksie met die publiek te beperk nie. Dit is eerder 'n reaksie op spesifieke versoeke vanaf Munisipaliteite vir sulke ope dae in drie gemeenskappe, naamlik Albertinia, Vermaaklikheid en Dalmeida (Mosselbaai). Die doel van die opedae is tweeledig. Eerstens is hierdie gemeenskappe waar daar tans 'n bestaande konflik rakende kustoegang heers. Tweedens is hierdie gemeenskappe waar 'n noemenswaardige proporsie van die inwoners nie geredelik toegang het tot elektroniese media, en dus tot die digitale komponent van die openbare skakelingsproses, het nie.

Ons het die aanvanklike opname van die studiearea nou voltooi. Die resultate van die opname is in 'n reeks tabelle vervat en ook op Google Earth ge-annotateer. Hierdie resultate is deur die Owerhede hersien. Ons versoek nou dat Belangebbende Partye ons via e-pos voorsien van hulle kommentaar en insette rakende die resultate. Die volgende skakel sal u na 'n voorlegging insake die proses sowel as die tabelle en Google Earth inhoud neem: (LEES ASSEMBLIEF EERS DIE VOORLEGGING VOORDAT U DIE OPNAME RESULTATE PROBEER OOPMAAK). Indien u probleme ondervind met die skakel en die proses om inligting daardeur te bekom, volg asseblief die instruksies in die aangehegte dokument.

<https://drive.google.com/open?id=1mxcwajAgfW-mufh9cilCOR-CbDLLDKV>

Ons versoek dat alle insette en kommentaar ons asseblief nie later as 30 September 2019 bereik nie.

ERIK BOTHA

BSc. MIWMSA

ENVIRONMENTAL MANAGEMENT CONSULTING

Cell: +2782 4516881
Fax: +2786 6567442
www.erikbotha.co.za
15 Brigantine Avenue
Sun Valley
Fish Hoek
7975

Appendix 2 g: email from N Mander dated 21 August 2019

Erik Botha

From: Nicola Diederichs Mander <nicci@futureworks.co.za>
Sent: Wednesday, August 21, 2019 3:23 PM
To: Erik Botha
Cc: Errol Cerff
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement Process
Attachments: Screenshot 2019-08-21 15.20.38.png

Dear Erik

Herewith a screenshot of the pedestrian access points as requested.

Nicci

From: Erik Botha <erik@erikbotha.co.za>
Sent: 21 August 2019 03:06 PM
To: Nicola Diederichs Mander <nicci@futureworks.co.za>
Cc: Errol Cerff <errol@errolcerff.co.za>
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement Process

Good afternoon Nicola,

Thank you very much for these inputs and the effort you made. We will correct our maps accordingly.

Could you possibly send us the details of the access points you refer to at Brenton on Sea please? A kmz or Google Earth screenshot will do.

Regards,

ERIK BOTHA

BSc. MIWMSA

ENVIRONMENTAL MANAGEMENT CONSULTING

Cell: +2782 4516881
Fax: +2786 6567442
www.erikbotha.co.za
15 Brigantine Avenue
Sun Valley
Fish Hoek
7975

From: Nicola Diederichs Mander <nicci@futureworks.co.za>
Sent: Wednesday, August 21, 2019 2:57 PM
To: Erik Botha <erik@erikbotha.co.za>
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement Process

Dear Erik

Please note the following:

1. Knysna Western Head – there is a section of Yellow around the Knysna Western Head, denoting Access in a Protected Area. This is incorrect. The entire Yellow zone should be Orange, as there are private properties that run right to the coast, it is not in the Garden Route National Park (only the buffer area), and there is in fact no access to the coastal zone through the private properties whatsoever.
2. Brenton on Sea – the purple zone running along the cliffs of Brenton on Sea beach is wrong. There are 2 public walkways down to the beach on municipal property, and one that runs through a private nature reserve (my property) to the beach. This zone should be restricted access in eastern segment, and pedestrian access only in the western segment. I will be happy to point these access points out to you if you don't know where they are.
3. Belvidere Estate – the entire coastline has been marked as Restricted Access, however there are several points where vehicle access is right up to the waters edge (there are two launches/jetties and a public park in Belvidere) – surely this should be shown on the map?
4. Public launch area next to White Bridge (Knysna River/N2 bridge) – there is a SANParks operated public boat launching site in this area that is not shown on the map (should be vehicle access I would imagine).

Warm regards

Nicci Diederichs Mander

Chairperson: Western Heads-Goukamma Conservancy

From: Erik Botha <erik@erikbotha.co.za>

Sent: 21 August 2019 12:39 PM

To: bwondermail@gmail.com; candacemyers29@gmail.com; carol.m@fineandcountry.com; catherinejoystone@gmail.com; cathy@hilland.co.za; charlotte@heidelbergtoerisme.co.za; info@heidelberginfo.co.za; danie.wessels@v3consulting.co.za; mosselbaai@v3consulting.co.za; djb@keurboomslagoon.co.za; dudley@djec.co.za; fmha@fancourt.co.za; francois@fvzarchitects.co.za; Gerhard@udwc.co.za; helen@troy.za.net; henkslander@live.com; henkvosloo@telkomsa.net; info@midbrakratepayers.co.za; info@naturesvalleytrust.co.za; info@oubaaihoa.co.za; info@scli.org.za; ifontein3@gmail.com; juanita.e@fineandcountry.com; kiran.parthab@transnet.net; koos.p@telkomsa.net; langvleiduneshoa@gmail.com; lenrauch@mweb.co.za; mariusopperman@telkomsa.net; marplumbridle@gmail.com; Maryke@udwc.co.za; mazoe5@mweb.co.za; mmatzener@telkomsa.net; mornayb@atkv.org.za; mosscc@telkomsa.net; mosselbayweb@mweb.co.za; mpzvanhuyssteen@telkomsa.net; mungusawadi@gmail.com; mwn@telkomsa.net; posselwillem@gmail.com; res@littlerockguesthouse.com; riversidecommunityforum@gmail.com; robang@telkomsa.net; samajiedt@gmail.com; sian@cape-eaprac.co.za; southerncragsconservancy@gmail.com; tmissik@iafrica.com; vermillkl@gmail.com; vobfarm@mweb.co.za; Wilhelm@udwc.co.za; wifreund@gmail.com; Zama.Ndlela@transnet.net; zmbunguka@bgcma.co.za; aloemotors@telkomsa.net; island@hilbert.co.za; jgivrensburg@gmail.com; marzena@telkomsa.net; ejbouwer@gmail.com; sue@suelane.co.za; jeff@jilcomms.co.za; marjorie.r@mweb.co.za; terrycoc@xsinet.co.za; Gawie@innowealth.co.za; nicci@futureworks.co.za; nvanwyk@telkomsa.net; denis.booyesen@hotmail.com; kenwhiley1@gmail.com; jacques@jacquesdmalan.com; arno.greyling@afriforum.co.za; roelfe@gmail.com; rbenew@telkomsa.net; peter.pyke@gmail.com; christa.a.leroux@gmail.com; mornayb@atkv.org.za; SchalkC@atkv.org.za; WernerK@atkv.org.za; Oosie@atkv.org.za; pierre@techtrust.co.za; jonathan@bluepebble.biz; brentonratepayers@gmail.com; pendenis@mweb.co.za; Jaco@tcinc.co.za; barryjacobs9@gmail.com; guyharrissa@gmail.com; izakg.venter@gmail.com; djb@keurboomslagoon.co.za; bcook@concreteunits.co.za; plettpc@gmail.com; johgroen@mweb.co.za; frits.nortje@gmail.com; chriskritz@gmail.com; carlene.amos@pamgolding.co.za; danielfortuin62@gmail.com; youmike@mweb.co.za; christo.steenkamp@nautilusbayhoa.co.za; info@environmental-services.co.za

Cc: 'leptieshaam Bekko (leptieshaam.Bekko@westerncape.gov.za)' <leptieshaam.Bekko@westerncape.gov.za>; 'Mellisa Naiker (Mellisa.Naiker@westerncape.gov.za)' <Mellisa.Naiker@westerncape.gov.za>; Mercia J Liddle <Mercia.Liddle@westerncape.gov.za>; Errol Cerff <errol@errolcerff.co.za>

Subject: Garden Route Coastal Access Audit: Stakeholder Engagement Process

Dear Stakeholder,

We have now completed our initial survey of the Garden Route coastline. These results of this survey have been captured in a series of tables and annotated on Google Earth. The results were then subjected to review by the Authorities. We now request that stakeholders provide us with their inputs and comments on the results, via e-mail. The following link will take you to a presentation containing information regarding this process as well as the tables and Google Earth files of the areas: (PLEASE READ THE PRESENTATION BEFORE TRYING TO ACCESS THE SURVEY RESULTS). Should you experience difficulty with accessing the information using the link referred to below, please follow the instructions in the attached document.

<https://drive.google.com/open?id=1mxcwaljAgfW-mufh9ciICOR-CbDLLDKV>

We request that all inputs and comments reach us by no later than 30 September 2019 please.

Geagte Belanghebbende Party,

Ons het die aanvanklike opname van die studiearea nou voltooi. Die resultate van die opname is in 'n reeks tabelle vervat en ook op Google Earth ge-annotateer. Hierdie resultate is deur die Owerhede hersien. Ons versoek nou dat Belanghebbende Partye ons via e-pos voorsien van hulle kommentaar en insette rakende die resultate. Die volgende skakel sal u na 'n voorlegging insake die proses sowel as die tabelle en Google Earth inhoud neem: (LEES ASSEBLIEF EERS DIE VOORLEGGING VOORDAT U DIE OPNAME RESULTATE PROBEER OOPMAAK). Indien u probleme ondervind met die skakel en die proses om inligting daardeur te bekom, volg asseblief die instruksies in die aangehegte dokument.

<https://drive.google.com/open?id=1mxcwaljAgfW-mufh9ciICOR-CbDLLDKV>

Ons versoek dat alle insette en kommentaar ons asseblief nie later as 30 September 2019 bereik nie.

ERIK BOTHA

BSc. MIWMSA

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Fish Hoek
7975



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2003

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Imagery Date: 5/10/2019 34°04'53.89" S 23°01'32.49" E



Appendix 2 h: email from A Taljaard dated 15 August 2019

Erik Botha

From: Anje Taljaard <ataljaard@plett.gov.za>
Sent: Thursday, August 15, 2019 9:16 AM
To: Erik Botha
Subject: RE: Bitou Comments
Attachments: Comments and Additions on Access Audit.kmz; Commented Tables.zip; Access_Points.kmz

Hi Erik,

I apologise for the lateness of these comments but we have finally managed to get together around a table and go through each point as suggested by yourselves during the audit. There are some minor errors and corrections and comments. I have tried to capture some of them on Google Earth and share those points. Alternatively we have made suggested comments on the tables that go together with the KMZ. I was not able to find the correct link to which table in terms of the paths that are created (there is no right click and select preferences option when I do it) but I think we were able to sort of deduce where what is based on the descriptions with in the tables. We also have some additional points that were previously submitted in shapefile format to RHDHV for your consideration during this review process (many of them you have captured but just in case you miss some).

A couple of the FID's have been incorrectly named and the following is suggested:

| Current | Proposed |
|------------------------|---|
| FID 114 The Cave | Nelson's Cave |
| FID 87 Casquets Hill | Robberg 2 |
| FID 88 | Wrong Position – to be moved to Casquets Hill |
| FID 113 Stanley Island | Anuth Peninsula |

I also add a KML layer with suggested changes and inclusions. I hope this assists.

In terms of the request for public open days I do not believe that this will be necessary but will check with my manager and revert back to you as soon as possible. Please let me know if you require any additional information.

Kindest regards,

Anjé Taljaard

Environmental Management Officer
Economic Development & Planning, Bitou Local Municipality
Tel: (044) 501 3318



Appendix 2 i: email from S Careise dated 30 July 2019

Erik Botha

From: Shagon Carelse <shagon@hessequa.gov.za>
Sent: Tuesday, July 30, 2019 2:43 PM
To: Erik Botha
Cc: Phillip Hendricks
Subject: RE: Garden Route Coastal Access Audit: Authority Stakeholder Engagement Process
Attachments: HM Coastal Access Comments.kmz

Hi Erik

Kindly see comments attached.

I also confirm that the one meeting will be in Albertinia (Theronville Community Hall) on the Friday (06 September 2019), after inhouse consultation we realised that another area of concern (as indicated by sector in red) is around Vermaaklikheid. Will it be possible to have the other public meeting in Vermaaklikheid?



Vriendelike Groete/Kind Regards

SHAGON CARELSE

*Manager: Environmental Management
Hessequa Municipality*

Office: +27 (0) 28713 8000 | **E-mail:** shagon@hessequa.gov.za | **website:** www.hessequa.gov.za

Physical Address: Civic Centre, Van den Berg Street, Riversdale, 6670 / P.O. Box 29, Riversdale, 6670

From: Erik Botha [mailto:erik@erikbotha.co.za]

Sent: Tuesday, 25 June 2019 10:28

To: mushfiqah.abrahams@mosselbay.gov.za; dadonis@knysna.gov.za; landrews@plett.gov.za; appels@george.gov.za; josephine@george.gov.za; bestsie@george.gov.za; jbasson@plett.gov.za; mbonthuys@knysna.gov.za; pbooth@knysna.gov.za; jbooyens@plett.gov.za; mayor@edendm.co.za; mmreception@george.gov.za; mboyce@knysna.gov.za; ecbussack@george.gov.za; mccalitz@george.gov.za; Shagon Carelse <shagon@hessequa.gov.za>; bmcornelius@george.gov.za; mdraghoender@george.gov.za; geaston@knysna.gov.za; steven@george.gov.za; jfearon@knysna.gov.za; Raimo Fernandez <raimo@hessequa.gov.za>; jfourie@george.gov.za; dfriedman@plett.gov.za; donnie@george.gov.za; James Gelderbloem(alt) <jamesg.hessequa@gmail.com>; gjel@george.gov.za; records@plett.gov.za; Marina Griesel <marina@hessequa.gov.za>; jennifer.hessequa@gmail.com; Phillip Hendricks <phillip@hessequa.gov.za>; reneh@george.gov.za; walter@george.gov.za; thenge@plett.gov.za; efherandien@george.gov.za; Collab Info <info@hessequa.gov.za>; admin@mosselbay.gov.za; Johan Jacobs <mm@hessequa.gov.za>; annatjievren@gmail.com; jkalani@knysna.gov.za; dkotze@mosselbay.gov.za; ickritzinger@george.gov.za; mayor@mosselbay.gov.za; Chloubser@george.gov.za; tmabula@knysna.gov.za; wmanuel@mosselbay.gov.za; eugene@george.gov.za; LCMOOIMAN@george.gov.za; admin@mosselbay.gov.za; mгнаик@george.gov.za; enel@mosselbay.gov.za; gcniehaus@george.gov.za; cnuns@knysna.gov.za; Chris Onrust <chris@hessequa.gov.za>; mpenxa@knysna.gov.za; cpetersen@george.gov.za; ephillips@knysna.gov.za; Lisby Pieterse <pieterse.hessequa@gmail.com>; jpika@plett.gov.za; dpower@george.gov.za; gpretorius@george.gov.za; nprins@mosselbay.gov.za; Chrisna Hough <pamayor@hessequa.gov.za>; cschliemann@plett.gov.za; hsmit@knysna.gov.za; rsmit@plett.gov.za; adstoffels@george.gov.za; mstratu@plett.gov.za; Andrew Stroebel <andrew.hessequa@gmail.com>; Randolph Swart <randolph@hessequa.gov.za>; ataljaard@plett.gov.za; speaker@mosselbay.gov.za; ivanschalkwyk@knysna.gov.za; cventer@mosselbay.gov.za; mviljoen@george.gov.za; Hendrik Visser <hendrik@hessequa.gov.za>; hvogel@knysna.gov.za; adwillemse@george.gov.za; Pburgoyne@george.gov.za; Nina@gardenroute.gov.za; dsteyn@mosselbay.gov.za; admin@mosselbay.gov.za; swngqele@george.gov.za; Ploliphant@george.gov.za; rmunro@george.gov.za; Tarendse@george.gov.za; Tlduplooy@george.gov.za; Imlubbe@george.gov.za; Sandra.taljaard@sanparks.org; megan.taplin@sanparks.org; maretha.alant@sanparks.org; clement.arendse@sanparks.org; martin.smith@sanparks.org;

Appendix 2 j: email from L Anderson dated 27 July 2019

Erik Botha

From: Leslin Anderson (MSB) <Leslin.Anderson@LABOUR.gov.za>
Sent: Thursday, June 27, 2019 8:14 AM
To: Erik Botha
Subject: RE: 3de Strand toegang Urgent
Attachments: Anglers of Mossel Bay.docx

Good Morning Mr Botha,

The above attachment was provided to both the developers (Pam Golding) and Mossel Bay municipality, and both parties was non responsive to the request.

Regards
Leslin Anderson (MSB)

From: Erik Botha [mailto:erik@erikbotha.co.za]
Sent: 26/June/2019 04:01 PM
To: Leslin Anderson (MSB)
Cc: Errol Cerff; 'Ieptieshaam Bekko (Ieptieshaam.Bekko@westerncape.gov.za)'
Subject: RE: 3de Strand toegang Urgent

Good afternoon Mr Anderson,

Thank you for bringing the matter to our attention. As we as consultants are not in a position to be of any direct assistance I am copying this e-mail to our client at DEA&DP for her information.

Please could you provide us with more information regarding the nature and extent of the issue?

Regards,

ERIK BOTHA

BSc. MIRMSA MIWMSA

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Fax: +2786 6567442
www.erikbotha.co.za
15 Brigantine Avenue
Sun Valley
Fish Hoek
7975

From: Leslin Anderson (MSB) <Leslin.Anderson@LABOUR.gov.za>
Sent: Wednesday, June 26, 2019 3:50 PM
To: Erik Botha <erik@erikbotha.co.za>
Subject: 3de Strand toegang Urgent

Good day Sir,

This is to inform you that the Public of Mossel Bay is requiring the immediate assistance before this matter gets out of hand as the municipality is not willing to handle the matter. See attached document

Kind regards
Leslin Anderson (MSB)

From: J&J Marine Sales [<mailto:jjmarinesales@absamail.co.za>]
Sent: 26/June/2019 12:43 PM
To: Leslin Anderson (MSB)
Subject: 3de Strand toegang

Jis Leslin, aangeheg die brief wat deel was van 1997 se voorstel van die ontwikkeling. Kontak my gerus indien nodig.

Groete

Johan van Rensburg

J & J Marine Sales

*7 Via Appie Crescent
Gouriqua Park
PO Box 2787,
Mossel Bay,
6500*

TEL +27 44 695 0932

FAX +27 44 695 1289

MOBILE +27 82 770 4197

E-mail: jjmarinesales@absamail.co.za

Anglers of Mossel Bay

L Anderson and Others

To whom it may concern

In recent months, the issue of access to coastal public property specifically Fishermans village/ Moquini, in Dana Bay, has come to the fore, with anglers being threatened that there access will be limited.

As one of the anglers, I want to thank you for giving us access to your area, Fishermans Village/ Moquini.

The angler of Mossel Bay who seized the opportunity to gain access, has all complied with the rules and regulations as request from them (fishing permits in place and ready if requested). With this in mind “understanding the law surrounding public access to coastal lands and ensuring compliance with them can ensure that local government and private individuals or organisations do not **unlawfully restrict the environmental rights of the citizens of South Africa,** to access natural resources, including beaches and coastal public property’

Due to the sensitivity of the issue we the anglers of Mossel Bay would like to resolve this situation, without involving other parties, therefore we as the Anglers of Mossel Bay would like to formally request permission from the private individuals or organisations to consent to 24/ 7 access to the anglers.

Please consider our formal request and trust you will consider our motivation favourable.

Thank you!

Anglers of Mossel Bay
Leslin Anderson: 060 990 2481
Terence Barnardo: 082 465 0462

THE PLANNING PARTNERSHIP

TOWN AND REGIONAL PLANNING PROJECT PLANNING LANDSCAPE ARCHITECTURE ENVIRONMENTAL PLANNING URBAN DESIGN



16 Bree Street
PO Box 4866
Cape Town 8000
Tel: (021) 418-0510
Fax: (021) 418-0502
E-mail: planpart@iafrica.com
Also in Gauteng

Our ref.: 3086

13 May 1997

Mrs I Smocilac
P O Box 2510
KLERKSDORP
2570

Dear Madam

PROPOSED DEVELOPMENT : FARM 284 MOSSEL BAY ("MOQUINI")

Thank you for your telefax of 7 May 1997 regarding the above. We have attempted to telephone you at the number at the top of the fax sheet, but without success.

We enclose herewith a copy of a draft concept plan for the proposed hotel site. Please note that at this stage this plan is only an idea of how the site may be developed, should the current applications be successful. If the go-ahead on the rezoning and subdivision of the property is given, it will probably be a requirement that a site development plan for the hotel site be submitted to the Council for approval before building plans for the hotel buildings are submitted.

The very special position of the hotel site means that a fairly exclusive market will be targeted. This is not a large market, and consequently only an 80 room lodge is envisaged. Priorities in this market will be the maintenance of the peaceful and beautiful natural environment as the primary asset of the lodge.

It will be noted that the current concepts call for a low-density utilisation of the site, with a central reception and service area, and chalet-type residential units on either side. The central buildings are not envisaged to be higher than ± 12 metres, whilst the chalets will not be higher than two stories. Apart from an exclusive public restaurant, no night-club or dance type of activities are envisaged.

Because of the large size of the proposed hotel site (more than 4 hectares), it is unlikely that there will be buildings right up to the eastern boundary (nearest Dana Bay). It must also be pointed out that there is an existing stretch of public open space between the houses in Dana Bay and Farm 284. This means that the nearest residential property boundary in Dana Bay will be ± 100 m from the boundary of the proposed hotel site.

With the exception of the proposed entrance road at the seaward side of Farm 284 (off Heide Road in Dana Bay), and the proposed curved road at the north-eastern corner of the property that will form the extension of Flora Road, all the roads in the proposed development are to be private. The Heide Road access road is proposed to serve the lodge,

1 August 2000 - V101-00
a small group of "conventional" residential erven, and provide for access to the existing municipal parking area at the mouth of the Blinde River via a servitude in favour of the Council. This latter will ensure that public access by vehicle to the parking area is maintained.

As it is the policy of both the Mossel Bay Council, as well as the South Cape District Council (which has jurisdiction over the area to the west of the Blinde River) that vehicles are forbidden on the beach, only walking beyond the parking area will be permitted.

We trust that the above helps you with your enquiries. Please do not hesitate to contact the writer should you need further information.

Yours faithfully



CHRIS VAN SCHOOR
THE PLANNING PARTNERSHIP

CVS\mo

Appendix 2 k: email from W Manual dated 4 June 2019

Erik Botha

From: Manuel, Warren <wmanuel@mosselbay.gov.za>
Sent: Tuesday, June 04, 2019 9:10 AM
To: Erik Botha; leptieshaam Bekko
Cc: Venter, Carel; Steyn, Douw; Roux, Jaco; Abrahams, Mushfiqah; admin
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement Progress Update
Attachments: RE: 5265184, FW: Coastal Access to Public Property; NAUTILUSBAAI: TOEGANG DEUR HENGELAARS; Map showing teh distance between Dana Baai 2nd and 3rd beach.PNG

Good morning,

I refer to the recent session we had with you.

As discussed we would like the following to be addressed:

- With regard to the complaints the municipality has received regarding access to the Dana Baai 3rd beach via the private development of Moquini. Please see first attachments. MBM has entered into an agreement with Moquini which allows fisherman to gain access to the Dana Baai 3rd beach via this development. Please confirm if this is sufficient in terms of the ICM Act. We have been receiving complaints that access to Dana Baai 3rd beach via Moquini should not just be for fisherman. The main complainant is Dr. Chris Pitzer. His contact details is also in attachment 1. Dana Baai 3rd beach is accessible by walking from the public beach access point at Dana Baai second beach. The distance from Dana Baai 2nd and 3rd beach is 1.16km as per attached map.
- With regard to complaints MBM received regarding the access to the beach via the private development of Nautilus. Nautilus currently does not provide access to the beach to anyone. See second attachment for the correspondence MBM has had with Nautilus. The beaches adjacent to Nautilus are open to everyone, it is just that the nearest public access points are between 4 and 6 km away. MBM has tried to negotiate with Nautilus to secure access to the beach via the development but this has not been successful.
- With regard to the issue of universal access. MBM plans on concentrating its efforts to provide universal access at only those beaches where it is feasible to do so. This will mean that universal access will eventually only be provided at 4 or 5 of the 22 swimming beaches along our coast. Will this be sufficient?

Lastly, MBM wants the issue of what constituents reasonable access to be better defined. You indicated that there is a court judgement which suggests that reasonable access, as referred to in the ICM Act, is Pedestrian access. This helps, but more should be done to determine actual distances. Perhaps the Planning guidelines related to what is considered acceptable distances for people to walk can be used to refine what is meant by reasonable access.

Please acknowledge receipt of this email.

Regards



GOOD GOVERNANCE AFRICA
Ranks Mossel Bay as 2019
top performer in
Local Government

Warren Manuel

Environmentalist

Mossel Bay Municipality / Mosselbaai Munisipaliteit

101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai

Email/E-pos: wmanuel@mosselbay.gov.za

Web: www.mosselbay.gov.za

Tel: +27 44 606-5163

Cell/Sel: 0713451720

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From: Erik Botha [mailto:erik@erikbotha.co.za]

Sent: Wednesday, May 29, 2019 1:22 PM

To: Abrahams, Mushfiqah <mushfiqah.abrahams@mosselbay.gov.za>; dadonis@knysna.gov.za; landrews@plett.gov.za; appels@george.gov.za; josephine@george.gov.za; bestsie@george.gov.za; jbasson@plett.gov.za; mbonthuys@knysna.gov.za; pbooth@knysna.gov.za; jbooyens@plett.gov.za; mayor@edendm.co.za; mmreception@george.gov.za; mboyce@knysna.gov.za; ecbussack@george.gov.za; mccalitz@george.gov.za; shagon@hessequa.gov.za; bmcornelius@george.gov.za; mdraghoender@george.gov.za; geaston@knysna.gov.za; steven@george.gov.za; jfearon@knysna.gov.za; raimo@hessequa.gov.za; jfourie@george.gov.za; dfriedman@plett.gov.za; donnie@george.gov.za; jamesg.hessequa@gmail.com; giel@george.gov.za; records@plett.gov.za; marina@hessequa.gov.za; jennifer.hessequa@gmail.com; phillip@hessequa.gov.za; rene-h@george.gov.za; walter@george.gov.za; thenge@plett.gov.za; efherandien@george.gov.za; info@hessequa.gov.za; admin <admin@mosselbay.gov.za>; mm@hessequa.gov.za; annatjievren@gmail.com; jkalani@knysna.gov.za; Kotzé, Dirk <dkotze@mosselbay.gov.za>; ickritzinger@george.gov.za; Mayor of Mossel Bay <mayor@mosselbay.gov.za>; Chloubser@george.gov.za; tmabula@knysna.gov.za; Manuel, Warren <wmanuel@mosselbay.gov.za>; eugene@george.gov.za; LCMOIMAN@george.gov.za; admin <admin@mosselbay.gov.za>; mgnaik@george.gov.za; Nel, Elize <enel@mosselbay.gov.za>; gcniehaus@george.gov.za; cnuns@knysna.gov.za; chris@hessequa.gov.za; mpenxa@knysna.gov.za; cpetersen@george.gov.za; ephillips@knysna.gov.za; pieterse.hessequa@gmail.com; jpika@plett.gov.za; dpower@george.gov.za; gpretorius@george.gov.za; Prins, Niel <nprins@mosselbay.gov.za>; pamayor@hessequa.gov.za; cschliemann@plett.gov.za; hsmit@knysna.gov.za; rsmit@plett.gov.za; adstoffels@george.gov.za; mstratu@plett.gov.za; andrew.hessequa@gmail.com; Randolph@hessequa.gov.za; ataljaard@plett.gov.za; The Speaker <Speaker@mosselbay.gov.za>; ivanschalkwyk@knysna.gov.za; Venter, Carel <cventer@mosselbay.gov.za>; mviljoen@george.gov.za; hendrik@hessequa.gov.za; hvogel@knysna.gov.za; adwillemse@george.gov.za; Pburgoyne@george.gov.za; Nina@gardenroute.gov.za; Steyn, Douw <dsteyn@mosselbay.gov.za>; admin <admin@mosselbay.gov.za>; swngqele@george.gov.za; Ploliphant@george.gov.za; rmunro@george.gov.za; Tarendse@george.gov.za; Tlduplooy@george.gov.za; lmlubbe@george.gov.za

Cc: 'leptieshaam Bekko (leptieshaam.Bekko@westerncape.gov.za)' <leptieshaam.Bekko@westerncape.gov.za>; 'Mellisa Naiker (Mellisa.Naiker@westerncape.gov.za)' <Mellisa.Naiker@westerncape.gov.za>; Errol Cerff <errol@errolcerff.co.za>

Subject: Garden Route Coastal Access Audit: Stakeholder Engagement Progress Update

Dear Stakeholder,

The WESTERN CAPE GOVERNMENT (WCG), Department of Environmental Affairs and Development Planning (DEA&DP), has commissioned an audit of all historical, existing access points along the Garden Route Coastline where the public have, are and/or still wish to access the coast. This initiative is in support of the Garden Route District Municipality and gives effect to the Provincial and Municipal Coastal Management Programmes as well as the Provincial Coastal Access Strategy and Plan.

The project team has completed the preliminary mapping and consolidation of existing audit information of the Garden Route. We are currently awaiting comments and inputs from local authorities in this regard. Once the inputs received from the Local Authorities have been incorporated, the draft report will be made available for stakeholder review and input.

In order to facilitate the effective transfer of information during this process, we envisage conducting the stakeholder engagement process primarily in electronic format, as a number of public workshops have already been held during the course of the previous audit. We will, however, be running focussed engagements with groups which have expressed concern about certain aspects of the previous stakeholder engagement process. The focussed engagement will be designed to ensure a more refined representation of issues raised previously. We will keep all stakeholders notified of these engagements.

Geagte Belanghebbende Party,

Die WES-KAAPSE REGERING (WKR), Departement van Omgewingsake en Ontwikkelingsbeplanning (DOS & OB) het opdrag gegee dat 'n oudit gedoen word van alle historiese, bestaande toegangspunte langs die Tuinroete-kuslyn waar die publiek toegang tot die kus het. Hierdie inisiatief is ter ondersteuning van die Tuinroete Distriksmunisipaliteit en gee uitvoering aan die Provinsiale en Munisipale Kusbestuursprogramme asook die Provinsiale Kustoegangstrategie en -plan.

Die projekspan het die voorlopige kartering en konsolidasie van bestaande oudit inligting vir die Tuinroete afgehandel. Ons wag tans vir kommentaar in insette vanaf die Plaaslike Owerhede in hierdie verband. Sodra hierdie insette in die konsepverslag geïnkorporeer is sal die kosepverslag beskikbaar gestel word vir hersiening en insette vanaf belanghebbende partye.

Ten einde die effektiewe oordrag van inligting gedurende hierdie proses te verseker voorsien ons om die skakelingsproses oorwegend in elektroniese formaat te bedryf, inaggenome die feit dat die vorige oudit reeds 'n aantal openbare werksinkels ingesluit het. Daar sal wel gefokusde skakeling plaasvind met groepe wat deur die verloop van die proses sover aangedui het dat hulle nie tevrede is met sekere aspekte en uitkomst van die vorige konsultasieprosesse nie. Hierdie gefokusde skakeling sal daarna streef om 'n meer verwerkte weergawe van die kwessies ter sprake op die tafel te sit. U sal op hoogte gehou word van hierdie skakelingsgeleentehede.

ERIK BOTHA

BSc. MIRMSA MIWMSA

ENVIRONMENTAL MANAGEMENT CONSULTING

Cell: +2782 4516881
Fax: +2786 6567442
www.erikbotha.co.za
15 Brigantine Avenue
Sun Valley
Fish Hoek
7975

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<http://www.mosselbay.gov.za/disclaimer.htm>

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101 Marsh Street,
Mossel Bay,
6506,
South Africa

Tel: +27 44 606 5000

www.mosselbay.gov.za

Erik Botha

From: Manuel, Warren <wmanuel@mosselbay.gov.za>
Sent: Tuesday, May 07, 2019 8:36 AM
To: chris pitzer
Cc: Venter, Carel; Steyn, Douw; Kruger, Eddie; admin
Subject: RE: 5265184, FW: Coastal Access to Public Property
Attachments: b-access+3rd+beach+db+14-01-2019 (1).pdf

Good morning,

My apologies, I had confused your enquiry with another which related to Nautilus.

My comments about the matter being referred to DEADP is however still applicable.

In relation to your question about the status quo, please refer to the attached letter.

Regards



Warren Manuel

Environmentalist

Mossel Bay Municipality / Mosselbaai Munisipaliteit

101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai

Email/E-pos: wmanuel@mosselbay.gov.za

Web: www.mosselbay.gov.za

Tel: +27 44 606-5163

Cell/Sel: 0713451720

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From: chris pitzer [<mailto:lawclinic@mweb.co.za>]
Sent: Saturday, May 4, 2019 10:03 AM
To: Manuel, Warren <wmanuel@mosselbay.gov.za>
Subject: RE: 5265184, FW: Coastal Access to Public Property

Thank you for the reply

I did not ask anything in regard Nautilus Thank you for the feedback My request was for THIRD BEACH DANABAY I doubt if there can be any incorrect interpretation as the Mosselbaai Municipality confirmed a servitude road and a plot which falls outside the "private property" I am being DENIED ACCESS to the THIRD BEACH My question is do I need to take the law in my own hands and force my way pass the security or must I make this political as was the case in Clifton to obtain access ?

Your urgent response is required

KRUIE GROETE-HERBAL GREETINGS

Dr Chris Pitzer

D.MMS (Gen) Tr.Med.Doctor Herbalist

Cert Iridologist Herbalist Alternative Healer

Dip Herb Acad S.S
Herbalist Nat Healing Foundation S.A
Lab.Law UNISA
0832068401

From: Manuel, Warren <wmanuel@mosselbay.gov.za>
Sent: Friday, May 3, 2019 14:02
To: Dr Chris Pitzer <althealth@mweb.co.za>
Cc: Venter, Carel <cventer@mosselbay.gov.za>; Steyn, Douw <dsteyn@mosselbay.gov.za>; admin <admin@mosselbay.gov.za>
Subject: RE: 5265184, FW: Coastal Access to Public Property

Afternoon,

The current situation is as follows:

Nautilus has indicated that they are of the opinion that they are not obligated to allow access to the beach via their property. This is based on their interpretation of the Integrated Coastal Management Act.

This is the status quo until DEADP has completed its study on coastal access.

DEADP is busy with a coastal access study, as per the notifications sent previously, which will determine if Nautilus interpretation of the Act is correct. Your contact details have been sent to the consultants who are doing this study.

I have spoken with Anton van Der Merwe (the Estate Manager) about the issue. It may be that this issue can be solved in the short term by speaking directly with him.

He can be contacted at 0836012831.

Regards



Warren Manuel

Environmentalist

Mossel Bay Municipality / Mosselbaai Munisipaliteit

101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai

Email/E-pos: wmanuel@mosselbay.gov.za

Web: www.mosselbay.gov.za

Tel: +27 44 606-5163

Cell/Sel: 0713451720

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From: Dr Chris Pitzer [<mailto:althealth@mweb.co.za>]
Sent: Friday, May 3, 2019 12:33 PM
To: Manuel, Warren <wmanuel@mosselbay.gov.za>
Subject: FW: 5265184, FW: Coastal Access to Public Property

I cannot believe the ignorance of not answering my correspondence I will not "go away" I need to know what the CURRENT status is should I visit the THIRD BEACH
I do not intend to embarrass myself or the municipality by making a scene wherefor I request an answer by return email
Failure will result in me taking action

KRUIE GROETE-HERBAL GREETINGS

Dr Chris Pitzer
D.MMS (Gen) Tr.Med.Doctor Herbalist
Cert Iridologist Herbalist Alternative Healer
Dip Herb Acad S.S
Herbalist Nat Healing Foundation S.A
Lab.Law UNISA
0832068401

From: chris pitzer <lawclinic@mweb.co.za>
Sent: Sunday, March 31, 2019 11:53
To: 'Manuel, Warren' <wmanuel@mosselbay.gov.za>
Cc: 'Chris Pitzer' <chriskruiedokter@gmail.com>
Subject: RE: 5265184, FW: Coastal Access to Public Property

Goodday Mr Manuel

I have requested an update on the status quo in this matter as I need to know the interim arrangement until such time as you received directives from the Department

Further to the above kindly advise what the municipality's policy is regarding indigenous trees in the Danabaai area Specifically present and future and action [if any] with regard established trees that is nor indigenous Kindly confirm time schedule as well

Kind regards

KRUIE GROETE-HERBAL GREETINGS

Dr Chris Pitzer
D.MMS (Gen) Tr.Med.Doctor Herbalist
Cert Iridologist Herbalist Alternative Healer
Dip Herb Acad S.S
Herbalist Nat Healing Foundation S.A
Lab.Law UNISA
0832068401

From: Manuel, Warren <wmanuel@mosselbay.gov.za>
Sent: Monday, February 11, 2019 11:53

To: lawclinic@mweb.co.za

Cc: Steyn, Douw <dsteyn@mosselbay.gov.za>; Venter, Carel <cventer@mosselbay.gov.za>; admin <admin@mosselbay.gov.za>; Kruger, Eddie <ekruger@mosselbay.gov.za>

Subject: 5265184, FW: Coastal Access to Public Property

Good morning,

I refer to your complaint regarding access to Coastal Public Property.

In light of the seriousness of the issue, Mossel Bay Municipality has referred this case to the Department of Environmental Affairs and Development Planning who are tasked with supporting local and district municipalities in ensuring that the provisions of the Integrated Coastal Management Act, which relate to coastal access, are adhered to.

The Department of Environmental Affairs and Development Planning are in process of launching a project to assess the levels of access to coastal public property along the Eden District Coastline and to assist municipalities in doing what is required to address areas where reasonable access to coastal property is not allowed.

Mossel Bay Municipality has already requested that the situation at Nautilus must be assessed during this project.

The details of official at DEADP dealing with coastal access is:

Mrs. leptieshaam Bekko
Sub-Directorate: Coastal Management
Directorate: Biodiversity and Coastal Management
Chief Directorate: Environmental Sustainability
Department of Environmental Affairs and Development Planning
Western Cape Government

4th Floor, Leeusig Building, 1 Dorp Street, Cape Town
Tel: (021) 483 3370
E-mail: leptieshaam.Bekko@westerncape.gov.za
Website: www.westerncape.gov.za

Regards



Warren Manuel

Environmentalist

Mossel Bay Municipality / Mosselbaai Munisipaliteit

101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai

Email/E-pos: wmanuel@mosselbay.gov.za

Web: www.mosselbay.gov.za

Tel: +27 44 606-5163

Cell/Sel: 0713451720

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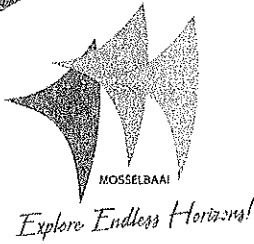
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MOSSSELBAAI MUNISIPALITEIT
UMASIPALA MOSSSEL BAYI

In antwoord verwys na nommer 17/17/1/F Krüger
In reply quote number C 5237196 (In)
Xa Uphendula chaza Le Nombolo

Tel, Imfonomfono: +27 (44) 606 5000
Fax, ifeksi: +27 (44) 606 5062
e-mail: admin@mosselbay.gov.za
web: www.mosselbay.gov.za

2007 Rapport Dorp van die Jaar
2016 National Greenest Town
2017 Kwêla Town of the Year!

14 January 2019

Dr Chris Pitzer
althealth@mweb.co.za

Dr

COASTAL ACCESS TO PUBLIC PROPERTY: THIRD BEACH DANA BAY

Your e-mail dated 7 January 2019, has reference.

The Moquini and Fisherman's Village developments west of Dana Bay are private developments with private roads. The Municipality of Mossel Bay have access to the third beach as there is an existing erf (Erf 6393) that is municipal property and used to be a public parking area known as Third Beach with a servitude road over private land of the Moquini development. This "parking area" does not exist any longer and is covered by sea sand although it still exists on paper.

There is an existing agreement between Mossel Bay Municipality, The Home Owners Association of Fisherman's Village and the Mosselbaai Hengelaarsvereniging that access will be granted to Third Beach, Dana Bay on condition that a Fishing Licence be produced at the gate of entrance. Attached please find a copy of the said agreement.

I trust that it will give more clarity on the matter and please do not hesitate to contact Mr E Krüger at 044 606 5070 for more information.

Yours faithfully


C. VENTER
DIRECTOR: PLANNING & INTEGRATED SERVICES

/j/k

TOEGANGSREGTE

Memorandum van ooreenkoms aangegaan deur en tussen:-

DIE MUNISIPALITEIT VAN MOSSELBAAI

Hierin verteenwoordig deur Adv Matthys Gerhardus Gillomee in sy hoedanigheid as Munisipale Bestuurder.

(hierna die "MUNISIPALITEIT" genoem),

En

MOSSELBAAI HENGELAARSVERENIGING

Hierin verteenwoordig deur MNR. D.G FORTUIN in sy hoedanigheid as voorsitter en behoorlik daartoe gemagtig

(hierna genoem die "VERENIGING")

En

FISHERMAN'S VILLAGE HUISEIENAARS VERENIGING

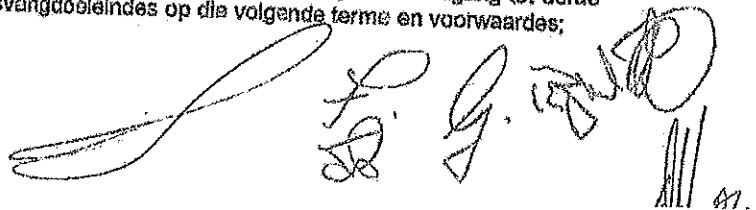
Hierin verteenwoordig deur MNR. Gamet van der Walt behoorlik daartoe gemagtig

(hierna genoem die "HEV")

Aangesien die HEV inskiklik is om die lede van die Vereniging n toegangsreg te verleen oor n gedeelte van hulle eiendom om die see en spesifiek derde strand Danabaai te bereik vir visvang doeleindes, op sekere terme en voorwaardes;

En aangesien die HEV en die Vereniging ooreengekom het op die terme en voorwaardes van sodanige toegang;

Nou Derhalwa verleen die HEV aan die lede van die Vereniging n vergunning tot redelike toegang met in agneming van die belang van die HEV en die eienaars, sowel as die van die Vereniging, oor en op die pad van die eiendom naamlik Erf 14917 behorende aan die HEV na derde strand Danabaai met die uitsluitlike doel om aan sodanige lede toegang tot derde strand te verleen vir bona fide visvangdoeleindes op die volgende terme en voorwaardes;



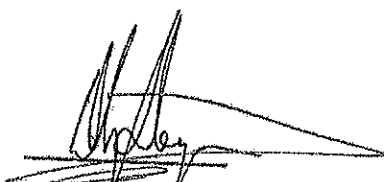
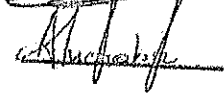
1. Die HEV sal geregtig wees om toegang behoortlik te monitor deur middel van die sekuriteitswagte by die toegangshek na die HEV se eiendom en sal toegang slegs verleen word aan bona fide vissersmanne wat onder andere voldoen aan die voorwaardes hieronder uiteengesit.
2. Alle hengelaars sal verplig wees om, voor toegang tot die HEV se eiendom verleen word hulself behoortlik te identifiseer deur middel van identiteitskaart(boek), of 'n lidmaatskapkaart van die Vereniging of 'n toegangskaart uitgereik deur Pinnacle Point vir toegang tot Pinnacle Point van tyd tot tyd vir visvang doeleindes .
3. Toegang sal slegs verleen word aan persone met 'n geldige hengellisensie en dit kan toon.
4. Indien 'n besoeker toegang verlang vir hengeldoeleindes, moet hy vooraf skriftelike toestemming verkry by die Voorsitter van die Vereniging. Indien die sekuriteitswagte dit nodig ag kan die voorsitter gekontak word om die toestemming te bevestig.
5. Die sekuriteitswagte sal geregtig wees, om in hulle uitsluitlike diskresie enige motor te deursoek en sal geregtig wees om toegang te weier indien alkohol van welke aard ookal en/of enige enige ander onwettige item in sodanige motor gevind word.
6. Indien enige persoon herhaaldelik van horn/haarself 'n oorlas maak op die eiendom van die HEV sal die HEV geregtig wees om sodanige persoon in oorlog met die Voorsitter van die Vereniging verder toegang tot tot die eiendom van die HEV te ontsê.
7. Die hengelaars wat toegang tot die eiendom verleen word, sal slegs geregtig wees om die padgedeelte op Erf 14917 as toegangsroete te gebruik en sal nie geregtig wees op toegang tot enige ander gedeelte van die eiendom van die HEV of enige privaat eiendom binne die Fisherman's Village ontwikkeling nie.
8. Die hengelaars sal verplig om die eiendom van die HEV skoon en netjies te hou en hulle waarhou van rommel strooing.
9. Die hengelaars sal te alle tye aan die reëls en regulasies van die Huiselenaarsvereniging voldoen.

ALDUS GEDOEN en GETEKEN te MOSSELBAAI namens DIE MUNISIPALITEIT VAN MOSSELBAAI, op hierdie ... dag van2018, in die teenwoordigheid van die ondergetekende getuies:

AS GETUIES:



Handwritten signatures of witnesses, including a large signature on the left and several smaller ones on the right, some with initials like 'AZ'.


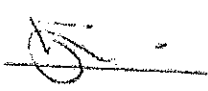
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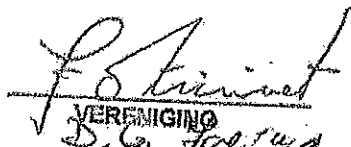


 MUNISIPALITEIT

ALDUS GEDOEN en GETEKEN te MOSSELBAAI op hierdie... dag van Desember 2018, in die teenwoordigheid van die ondergetekende getuies:

AS GETUIES:



1. 
2. 



 VERENIGING
 D. G. Fortuin

ALDUS GEDOEN en GETEKEN te MOSSELBAAI op hierdie.... dag van Desember 2018, in die teenwoordigheid van die ondergetekende getuies:

AS GETUIES:

1. 
2. 



 HEV

Erik Botha

From: Manuel, Warren <wmanuel@mosselbay.gov.za>
Sent: Thursday, January 17, 2019 8:55 AM
To: Marlene.Laros@westerncape.gov.za; leptieshaam.Bekko@westerncape.gov.za
Cc: Venter, Carel; Steyn, Douw; Kruger, Eddie; Abrahams, Mushfiqah; admin
Subject: NAUTILUSBAAI: TOEGANG DEUR HENGELAARS
Attachments: 20181212123234243.pdf; Latest Nautilus EMP.PDF; nautilus.pdf

Importance: High

Good morning Marlene and leptieshaam,

I trust you had a good festive season and that all is well.

MBM needs assistance / guidance with the following:

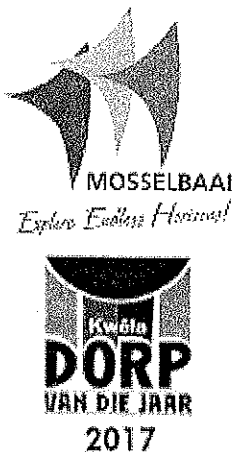
Nautilus Coastal Development is located along the coast of Mossel Bay. Fisherman have been complaining that they are not allowed access to the coast via this development.

The legal department of Mossel Bay approached Nautilus about the issue and Nautilus sent the attached letter in response. The Nautilus EMP and Constitution are also attached to provide background information.

We are not sure of how to proceed?

Your advise would be greatly appreciated. At which point do we involve the National DEA office?

Regards



Warren Manuel

Environmentalist

Mossel Bay Municipality / Mosselbaai Munisipaliteit

101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai

Email/E-pos: wmanuel@mosselbay.gov.za

Web: www.mosselbay.gov.za

Tel: +27 44 606-5163

Cell/Sel: 0713451720

Print this email only if necessary. Go Green / Druk hierdie e-pos net as dit noodsaaklik is. Gaan Groen.

From: Steyn, Douw
Sent: Wednesday, December 12, 2018 1:33 PM
To: Manuel, Warren <wmanuel@mosselbay.gov.za>
Subject: FW: NAUTILUSBAAI: TOEGANG DEUR HENGELAARS
Importance: High

Hi Warren

Your comments will be appreciated.

Kind Regards



Douw Steyn

Legal Advisor

Mossel Bay Municipality / Mosselbaai Munisipaliteit

101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai

Email/E-pos: dsteyn@mosselbay.gov.za

Web: www.mosselbay.gov.za

Tel: +27 44 606-5011

Print this email only if necessary. Go Green / Druk hierdie e-pos net as dit noodsaaklik is. Gaan Groen.

From: Jaco Lötter [<mailto:Jaco@tcinc.co.za>]

Sent: Wednesday, December 12, 2018 12:38 PM

To: Kobus Steyn <kobussteyn24@gmail.com>; Johann Van Deventer <johann@8nautilus.co.za>; Rene Hodges <rrhodes37@gmail.com>; Rudi <rudi@technochair.co.za>; Anton van der Westhuizen <antonvdw57@gmail.com>

Cc: Steyn, Douw <dsteyn@mosselbay.gov.za>; Kruger, Eddie <ekruger@mosselbay.gov.za>; Roux, Jaco <jroux@mosselbay.gov.za>; Prins, Niel <nprins@mosselbay.gov.za>; 'Katherine Handley' <khandley@nsmithlaw.co.za>; nicks@nsmithlaw.co.za

Subject: RE: NAUTILUSBAAI: TOEGANG DEUR HENGELAARS

Importance: High

Please Note: Our offices will be closed from 21.12.2018 and will re-open on 02.01.2019



Mr Steyn,

Further to our correspondence below, please find attached correspondence on behalf of the Nautilus Bay Homeowners Association.

Kind regards,

Kind Regards,



Jaco Lötter

Director

Switchboard: 011 880 6695
Facsimile: 086 613 8536
Cellular: 083 600 4903
Email: jaco@tcinc.co.za
Address: 24 Baker Street, Rosebank, Johannesburg,
2196



Tonkin Clacey Inc.
KONINKLIJKE NEDERLANDSE ORDE VAN ADVOCATEN

Member of the Phatshoane Henney Group



Disclaimer

From: Jaco Lötter

Sent: Wednesday, 28 November 2018 5:09 PM

To: 'Kobus Steyn' <kobussteyn24@gmail.com>; Johann Van Deventer <johann@8nautilus.co.za>; Rene Hodges <rrhodges37@gmail.com>; Rudi <rudi@technochair.co.za>; 'Anton van der Westhuizen' <antonvdw57@gmail.com>

Cc: 'dsteyn@mosselbay.gov.za' <dsteyn@mosselbay.gov.za>; 'ekruger@mosselbay.gov.za' <ekruger@mosselbay.gov.za>; 'jroux@mosselbay.gov.za' <jroux@mosselbay.gov.za>; 'nprins@mosselbay.gov.za' <nprins@mosselbay.gov.za>; 'Katherine Handley' <khandley@nsmithlaw.co.za>; nicks@nsmithlaw.co.za

Subject: RE: NAUTILUSBAAI: TOEGANG DEUR HENGELAARS

Importance: High

Mr Steyn,

I address this correspondence to you in my capacity as the chairman of the Nautilus Bay Homeowners Association. Your correspondence of even date hereunder has reference.

It needs to be recorded that our Mr Kobus Steyn had timeously informed you on 23 November 2018 of the fact that the Association has appointed attorneys to advise us on our rights in this matter and that any meeting at this stage is not only unhelpful, but may prejudice the rights that the Association have in this regard. Your unsubtle attempt to cast aspersions on the Association for not attending today's meeting, under circumstances where our position had been clearly communicated to you, is misplaced and unfortunate.

This Association's views on this matter had been repeatedly communicated to you, in our letter of 18 April 2018 (copy attached), and again in subsequent discussions between the municipality and our representatives. To be clear, it is this Association's view that there exists no historic or lawful right of access in favour of the general public over this Association property. This view is supported by the Project Report – Coastal Access Audit for the Eden District, March 2018. Notwithstanding our invitation to you in our letter attached, you have to date not furnished us with any fact or allegation to contradict or rebut this view.

We note your request to furnish this to you by 7 December 2018. You were duly informed by our Mr Steyn that our appointed legal representatives may only be in a position to furnish us with their legal advice during December 2018. Furthermore, the matter will be discussed at our 2018 Annual General Meeting to be held on 21 December 2018 in order to appropriately discuss the matter with our members. We undertake to revert to you in this regard at the earliest opportunity, but for reasons set out above, not possible by 7 December 2018.

Lastly, all the Association's rights in this regard are, and remain, expressly reserved.

----- Forwarded message -----

From: Steyn, Douw <dsteyn@mosselbay.gov.za>

Date: Wed, 28 Nov 2018, 16:08

Subject: NAUTILUSBAAI: TOEGANG DEUR HENGELAARS

To: antonvdw57@gmail.com <antonvdw57@gmail.com>, kobussteyn24@gmail.com <kobussteyn24@gmail.com>
Cc: Kruger, Eddie <ekruger@mosselbay.gov.za>, Roux, Jaco <jroux@mosselbay.gov.za>, Prins, Niel <nprins@mosselbay.gov.za>

Die Voorsitter

Nautilusbaai Huiseienaarsvereniging

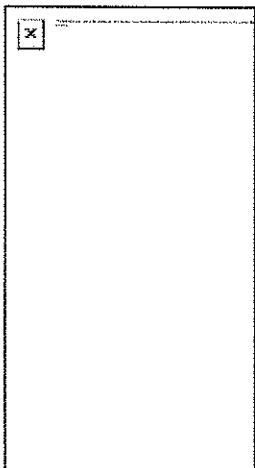
Meneer/Dame

Regsdienste verwys na die vergadering met die hengelaars geskeduleer vir vandag om 11:00, welke nie deur een van u verteenwoordigers bygewoon is nie.

Dit is Regsdienste se instruksies van die hengelaars en die Munisipaliteit se Stadsbeplanningsdirektoraat dat u hul meegelede dokumente het dat u 'n regsopinie aangevra het en niks gaan doen voordat u dit nie ontvang het nie.

Regsdienste verkry graag u skriftelike standpunt rakende die kwessie van redelike toegang vir die publiek na die kus oor HE eiendom (soos bepaal in Art 13 van Wet 24 van 2008) voor of op 7 Desember 2018 ten einde 'n ingeligde besluit te neem o moontlike verdere optrede.

By voorbaat dank en groete.



Douw Steyn

Legal Advisor

Mossel Bay Municipality / Mosselbaai Munisipaliteit

101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai

Email/E-pos: dsteyn@mosselbay.gov.za

Web: www.mosselbay.gov.za

Tel: +27 44 606-5011

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Mossel Bay,
6506,
South Africa

Tel: +27 44 606 5000

www.mosselbay.gov.za

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Appendix 2 I: email from D Daniel dated 12 April 2019

Erik Botha

From: Daniel Daniel <danielfortuin62@gmail.com>
Sent: Friday, April 12, 2019 5:41 PM
To: Erik Botha
Subject: Hiermee doen ek aansoek vir toelaating tot die Tuinroete Kustoegang Oudit

Ek is die voorsiter van die Mossel Baai Civic hengel vereeniging. Ons bestaan is vir die befordering vir hengelaars wat NIE toegang tot die see het langs die kus gebiede nie. Ons het nou al baie vermag deur verskei plekke toegang te verkry as gevolg van vegaderings en onderhandelings met die huisuienaars vereeniging

Mossel baai golf estate
Pinnacle point
Fishermin village

Dit is almal plekke wat die hengelaars toelaat.

Ons het n probleem met Nortless Baai en Springer Baai wat nie hengelaars will toelaat nie. Springer Baai laat hulle net sekere blanke hengelaars toe.

Die ontwikkelaars van Northless Baai Mnr. Baartinpens het in n vegadering ons hengelaars toesteming gegee om die roete na die see te gebryk. As ook die pad ontwikkelaars "Mosgas"

Die pad is deur "Mosgas" ontwikkel om hulle pyplyne te diens.

Na die ontwikkeling klaar was het die "huis uienaar vereniging" die pad oor geneem en botweg geweer dat geen hengelaar toegang tot die see het nie.

Ek voel daar word inbraak gedoen teen my en ons hengelaars se Demokratiese reg op n vrye toegang tot die see.

Die wit skrif van die coastel act het nog nie verander NIE, En die se duidelik "Daar moet vrye toegang wees vir die publiek en hengelaars na die see."

Ek het nou al verskei vegaderings gehaad saam die Municipality en Northless Baai se huisuienaars vereeniging. Maar steed na 15 jaar doen die municipality niks om ons hengelaars te help om toegang tot die see te kry nie.

As "Western Cape Government" verlang ek dat u onmidelik aandag moet gee aan hierdie probleem want die situasie raak onophoudelik.

Vriendelike hengel groete

Mnr. Fortuin

Tel 061 149 5776

081 079 7692

Appendix 2 m: email from W Manuel dated 27 March 2019

Erik Botha

From: Errol Cerff
Sent: Wednesday, March 27, 2019 11:30 AM
To: Erik Botha
Subject: Fwd: ACCESS to Blindriver Beach area
Attachments: Garden Route CA public notice_Mar2019_V2.pdf

Get [Outlook for Android](#)

From: Manuel, Warren <wmanuel@mosselbay.gov.za>
Sent: Wednesday, March 27, 2019 11:28:40 AM
To: Steyn, Douw; Leslin Anderson (MSB)
Cc: Errol Cerff
Subject: RE: ACCESS to Blindriver Beach area

Good morning Mr. Anderson,

I refer to the email below.

Please see attached notice which gives more information about the coastal access project being conducted by the Provincial Authorities who are tasked with assisting municipalities in ensuring access to coastal areas.

Errol: please note the email trail below. Similar complaints have been received about: Nautilus Bay and Moquini.

Mr. Anderson: Last week I sent the above notification to Terrence Barnado, along with a request for him to inform anglers, but I am uncertain if he is still at the Dept. of Labor.

Regards



Warren Manuel

Environmentalist

Mossel Bay Municipality / Mosselbaai Munisipaliteit

101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai

Email/E-pos: wmanuel@mosselbay.gov.za

Web: www.mosselbay.gov.za

Tel: +27 44 606-5163

Cell/Sel: 0713451720

Print this email only if necessary. Go Green / Druk hierdie e-pos net as dit noodsaaklik is. Gaan Groen.

From: Steyn, Douw
Sent: Wednesday, March 27, 2019 11:18 AM
To: Leslin Anderson (MSB) <Leslin.Anderson@LABOUR.gov.za>
Cc: Manuel, Warren <wmanuel@mosselbay.gov.za>
Subject: RE: ACCESS to Blindriver Beach area

Good morning mr Anderson

The Provincial Department of Environmental Affairs has set up a task team to in future deal with all complaints regarding coastal access and the establishment of designated access points, and the Municipality has been requested to relay all complaints to them.

I have CC ed our Environmental Officer, mr Warren Manuel in this email, who can further assist you in lodging your complaints with the task team, who will also be visiting the area during the course of their investigation.

Kind Regards



Douw Steyn

Legal Advisor

Mossel Bay Municipality / Mosselbaai Munisipaliteit

101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai

Email/E-pos: dsteyn@mosselbay.gov.za

Web: www.mosselbay.gov.za

Tel: +27 44 606-5011

Print this email only if necessary. Go Green / Druk hierdie e-pos net as dit noodsaaklik is. Gaan Groen.

From: Leslin Anderson (MSB) [<mailto:Leslin.Anderson@LABOUR.gov.za>]

Sent: Wednesday, March 27, 2019 9:44 AM

To: Steyn, Douw <dsteyn@mosselbay.gov.za>

Subject: ACCESS to Blindriver Beach area

Good Morning Mr. Steyn,

It is now two weeks since an enquiry was made to clarify to what rules the anglers must adhere too, to gain access through Fishermans Village in Danabaai. Since then anglers are still denied access, for unknown reasons.

These are some of the reasons that is used to unlawfully deny or restrict access to fisherman.

- Access only between 06h00 to 18h00
- Only 6 vehicles may occupy the premises at a time
- You must have a valid fishing licence

Please can you assist by pointing out the Municipalities obligation in terms of the right to access coastal public property.

Kind regards

Leslin Anderson (MSB)

From: Leslin Anderson (MSB)
Sent: 13/March/2019 03:37 PM
To: 'Steyn, Douw'
Subject: RE: ACCESS; FISHERMAN'S VILLAGE

Good day Mr Steyn,

With reference to the agreement between Anglers and Fishermans Village Home Owners Association, it is mentioned that the anglers needs to adhere to a set of rules from the FVHOA. Please assist the anglers in providing these rules in writing for clarity.

Kind regards
Leslin Anderson (MSB)

From: Steyn, Douw [<mailto:dsteyn@mosselbay.gov.za>]
Sent: 04/February/2019 02:19 PM
To: Leslin Anderson (MSB)
Cc: admin; Westerberg, Erlene; Puren, Colin
Subject: ACCESS; FISHERMAN'S VILLAGE

Dear mr Anderson

Your telephone conversation with Legal Services regarding the above matter refers.

Please find attached signed agreement with the Anglers Association as discussed.

Kind Regards



Douw Steyn

Legal Advisor

Mossel Bay Municipality / Mosselbaai Munisipaliteit

101 Marsh Str, Mossel Bay / Marshstr 101, Mosselbaai

Email/E-pos: dsteyn@mosselbay.gov.za

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6506,
South Africa

Tel: +27 44 606 5000

www.mosselbay.gov.za

Appendix 2 n: email from F Nortjie dated 25 March 2019

Erik Botha

From: Frits Nortje <frits.nortje@gmail.com>
Sent: Monday, March 25, 2019 5:52 PM
To: Erik Botha
Cc: Barry Lottering; Ben Burke; Bertus Smith; Johan Allers; Johann Boshoff; Marinda Lottering; Nelda van Zyl; Terry Holman
Subject: Re: FW: Garden Route Coastal Access Audit: Stakeholder Engagement

Goeiedag mnr Botha

Dankie vir die kennisgewing rakende AP-DEA se ondersoek na strandtoegang. Ons het reeds voorheen indirek deelgeneem aan so 'n audit, en ons het via die Mosselbaai munisipaliteit volledige inligting rakende privaattoegange verskaf.

Ons is nie seker wat nou beoog word nie. Is dit 'n herhaling van die vorige audit? Indien wel, neem asseblief kennis dat sodanige inligting reeds bestaan en verskaf is --- dit kan baie moeite en onkoste bespaar.

Dit wil my egter voorkom asof die bekommernis nie soseer oor privaattoegange is nie maar eerder oor belemmerde toegang. Dit is by ons nie 'n oorweging nie -- mense het vrye toegang tot die strand, vra maar die honderde hengelaars wat elke nou en dan op ons toesak en gewoonlik ons strand bemors. Ons voel soms dat hulle toegang geweier moet word!

Die dorpie van Boggomsbaai beskik inderdaad oor twee amptelike strandtoegangspunte, maar omdat die dorpie groter word benodig ons eintlik ook 'n derde. Ons sal binnekort die munisipaliteit op amptelike wyse nader hiervoor.

Alhoewel ons onseker is oor die doelwit van die Departement se beoogde aksie, en alhoewel dit waarskynlik 'n munisipale aangeleentheid eerder as 'n private aangeleentheid is, wil ons nietemin registreer as Belanghebbende Party, al is dit net om op hoogte van sake te bly.

U word dus vriendelik om ons as sulks te registreer.

Vriendelike groete.

Frits Nortjé

Voorsitter: Boggomsbaai Belastingbetalersvereniging.

Sel: 072 - 377 4182

On Thu, 14 Mar 2019 at 13:11, Erik Botha <erik@erikbotha.co.za> wrote:

Dear Stakeholder,

The WESTERN CAPE GOVERNMENT (WCG), Department of Environmental Affairs and Development Planning (DEA&DP), has commissioned an audit of all historical, existing access points along the Garden Route Coastline where the public have, are and/or still wish to access the coast. This initiative is in support of the Garden Route District Municipality and gives effect to the Provincial and Municipal Coastal Management Programmes as well as the Provincial Coastal Access Strategy and Plan. The Directorate: Biodiversity and Coastal Management cordially invite interested and affected parties to participate in this initiative by registering as stakeholders in the process and providing information regarding the location and extent of such public coastal access points. Further background information can be obtained in the attached document.

Appendix 2 o: email from W Moore dated 24 March 2019

Erik Botha

From: Wyndham Moore <wyndham@mweb.co.za>
Sent: Sunday, March 24, 2019 6:59 PM
To: Erik Botha
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement
Attachments: Beach Access Points 2009 Condensed.pdf

Erik

My epos wil nie die volledige verslag hanteer nie.
Die titel is op die uitreksel met die dokument se naam voorop
Bladsy 109 handel oor Vleesbaai

Groete
Wyndham

From: Erik Botha <erik@erikbotha.co.za>
Sent: Wednesday, 20 March 2019 10:55 AM
To: Wyndham Moore <wyndham@mweb.co.za>
Cc: 'leptieshaam Bekko (leptieshaam.Bekko@westerncape.gov.za)' <leptieshaam.Bekko@westerncape.gov.za>; 'Mellisa Naiker (Mellisa.Naiker@westerncape.gov.za)' <Mellisa.Naiker@westerncape.gov.za>; Errol Cerff <errol@errolcerff.co.za>
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement

More Wyndham,

Ons is nog in die proses om al die bestaande inligting te konsolideer, insluitende opnames wat deur die Munisipaliteite gedoen is. As jy vir my 'n verwysing of besonderhede (titel ens.) kan laat kry sal ek seker maak die verslag waarna jy verwys word ingesluit.

Groete,

ERIK BOTHA

BSc. MIRMSA MIWMSA

ENVIRONMENTAL MANAGEMENT CONSULTING

Cell: +2782 4516881
Fax: +2786 6567442
www.erikbotha.co.za
15 Brigantine Avenue
Sun Valley
Fish Hoek
7975

From: Wyndham Moore <wyndham@mweb.co.za>
Sent: Wednesday, March 20, 2019 10:49 AM
To: Erik Botha <erik@erikbotha.co.za>
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement

Beste Erik

Ek neem aan jy het die verslag van die opname wat die Munisipalitet Mosselbaai in 2009 gedoen het oor strandtoegangspaaie.

Groete
Wyndham Moore
083 411 0190

From: Erik Botha <erik@erikbotha.co.za>

Sent: Thursday, 14 March 2019 1:11 PM

To: jonathan@bluepebble.biz; luzkffarming@gmail.com; lappiesbaai@lantic.net; stevek@netactive.co.za; hans@vreken.co.za; laing@pathcare.org; lcffreight@hotmail.com; sue@suelane.co.za; lerouxlj@gmail.com; toorfontein@vodamail.co.za; ltter@telkomsa.net; jaco@tonkinclacey.co.za; kyss.louw@gmail.com; laviniasl@telkomsa.net; luzuko@enviropart.co.za; mackintosh@adept.co.za; ivanmangaliso@gmail.com; gouritzienuus@gmail.com; jwm@telkomsa.net; info@plettratepayers.co.za; udomartin@vodamail.co.za; dulcienel@outlook.com; vleesbedryf@iafrica.com; wyndham@mweb.co.za; louisem@groupeditors.co.za; abryant@mweb.co.za; mthimkhulum@bgcma.co.za; desimu@iafrica.com; johanmuller@telkomsa.net; lbrconservancy@telkomsa.net; mullerp@iafrica.com; M.Perschke@posteo.de; frikn@mweb.co.za; wrra@tiscali.co.za; cnezar@gmail.com; georgen@gleniqua.co.za; frits.nortje@gmail.com; ign@lantic.net; ntoosthuizen@live.co.za; theunis.oosthuizen@gmail.com; malcolmo@telkomsa.net; robertpace07@gmail.com; doriennaas@gmail.com; Gary.Panton@WSPGroup.co.za; michelle@pinnaclepointestate.co.za; cmp1@sun.ac.za; geartechgardenroute@gmail.com; jjpieterse1951@gmail.com; paul@brisen.co.za; gro100@vodamail.co.za; rean@pretoriusonline.com; peter.pyke@gmail.com

Cc: 'leptieshaam Bekko (leptieshaam.Bekko@westerncape.gov.za)' <leptieshaam.Bekko@westerncape.gov.za>; 'Mellisa Naiker (Mellisa.Naiker@westerncape.gov.za)' <Mellisa.Naiker@westerncape.gov.za>; Errol Cerff <errol@errolcerff.co.za>

Subject: FW: Garden Route Coastal Access Audit: Stakeholder Engagement

Dear Stakeholder,

The WESTERN CAPE GOVERNMENT (WCG), Department of Environmental Affairs and Development Planning (DEA&DP), has commissioned an audit of all historical, existing access points along the Garden Route Coastline where the public have, are and/or still wish to access the coast. This initiative is in support of the Garden Route District Municipality and gives effect to the Provincial and Municipal Coastal Management Programmes as well as the Provincial Coastal Access Strategy and Plan. The Directorate: Biodiversity and Coastal Management cordially invite interested and affected parties to participate in this initiative by registering as stakeholders in the process and providing information regarding the location and extent of such public coastal access points. Further background information can be obtained in the attached document.

Geagte Belanghebbende Party,

Die WES-KAAPSE REGERING (WKR), Departement van Omgewingsake en Ontwikkelingsbeplanning (DOS & OB) het opdrag gegee dat 'n oudit gedoen word van alle historiese, bestaande toegangspunte langs die Tuinroete-kuslyn waar die publiek toegang tot die kus het. Hierdie inisiatief is ter ondersteuning van die Tuinroete Distriksmunisipaliteit en gee uitvoering aan die Provinsiale en Munisipale Kusbestuursprogramme asook die Provinsiale Kustoegangstrategie en -plan. Die Direkoraat: Biodiversiteit en Kusbestuur nooi belangstellende en geaffekteerde partye hartlik uit om deel te neem aan hierdie inisiatief deur te registreer as belanghebbende partye en ook deur inligting oor die ligging en omvang van sodanige openbare kustoegangspunte aan die projekspan te verskaf. Addisionele inligting insake die proses kan verkry word in die aangehegde dokument.

ERIK BOTHA

BSc. MIRMSA MIWMSA

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Cell: +2782 4516881

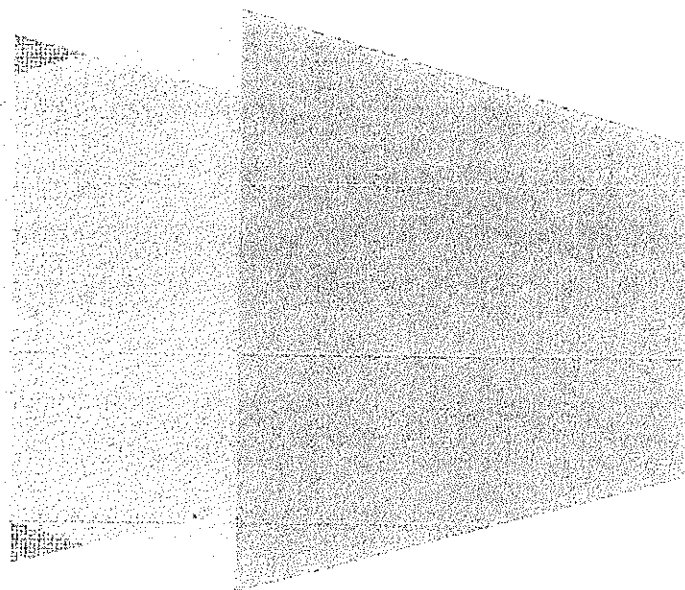
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15 Brigantine Avenue
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Fish Hoek
7975

Mossel Bay Municipality

Beach access points by means of staircases

Survey and Review

Directorate: Town Planning and Building Control



**August
2009**

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Introduction

The purpose of this report is to detail the findings of the survey and assessment of infrastructure at all the staircase access points to the beaches for which Mossel Bay Municipality is responsible. This exercise was deemed necessary as presently there is no complete record of all the staircase access points.

This report will serve as an aid in instances where repairs or maintenance work is required and will assist in the more efficient handling of complaints relating to staircases at each access point. In addition to the fact that the soon to be promulgated Integrated Coastal Management Act will require coastal municipalities to review how access points to coastal areas are managed, it means that this report would meet this requirement and therefore no duplication of this exercise will be necessary.

Method

The information used for the compilation of this report was collected by Mr Warren Manuel from the Directorate: Community Services conducting site visits to all the known beach access points by means of staircases and associated infrastructure going to the beaches. These access points included those that were marked (Municipal notice boards) as being access points, as well as those that were unmarked. Each individual access points, with specific focus on the steps, were then assessed using the following categories:

- Location (Locality maps and photographs)
- Description
- Present Condition
- Risk - of the four categories used only risk needs to be explained as the others are pretty self explanatory. Risk in this instance refers to the possibility / likelihood of the beach access steps being negatively affected by natural processes e.g. Tidal action, erosion etc. The inclusion of this category is important as it directly relates the maintenance of beach steps and the constant need to repair steps due to storm damage.

Assessment of staircases

Subsequently site visits were conducted by Messrs Ches le Kay and Shane de Bruyn from the Directorate: Town Planning and Building Control where all staircases were assessed regarding type of construction material, length of the staircase, whether it has a hand rail, whether it has a deck and a rating was done of the condition of the staircase, where the staircases were given a rating between 1 and 10, with 1 a "very bad" rating and 10 a "very good" rating.

Repairs required

In the report an indication is also given of the repairs required. This will form the basis of the allocation of funds for immediate remedial work, as well as future maintenance that is required.

Study area

Given that the extent of the study area included all the coastal areas under the jurisdiction of Mossel Bay Municipality, the survey was conducted by visiting Vleesbaai, Boggomsbaai, Danabaai, Point, Santos, De Bakke, Diaz, Bayview, Hartenbos, Little Brak, Rheeboek, Tergniet, Suiderkruis, Hersham, Bothastrand, Pienaarstrand, Dwarswegstrand and Outeniquastrand.

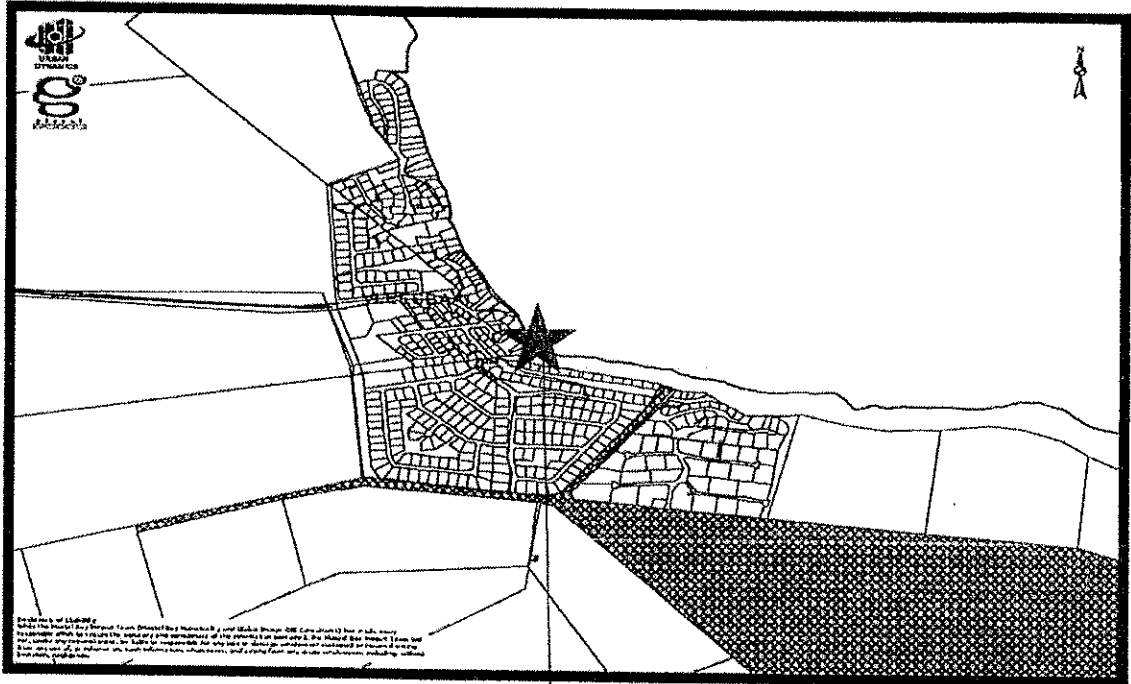
The following coastal developments were excluded from this exercise for now, because of the confusion that exists as to who is ultimately responsible for the maintenance of beach access points, as well as what exactly their responsibilities (private developers) are with regard to ensuring that there exists public access points to beaches in these areas.

- Pinnacle Point
- Village on Sea
- Fisherman's Village
- Nautilus Bay
- Kleinbosch

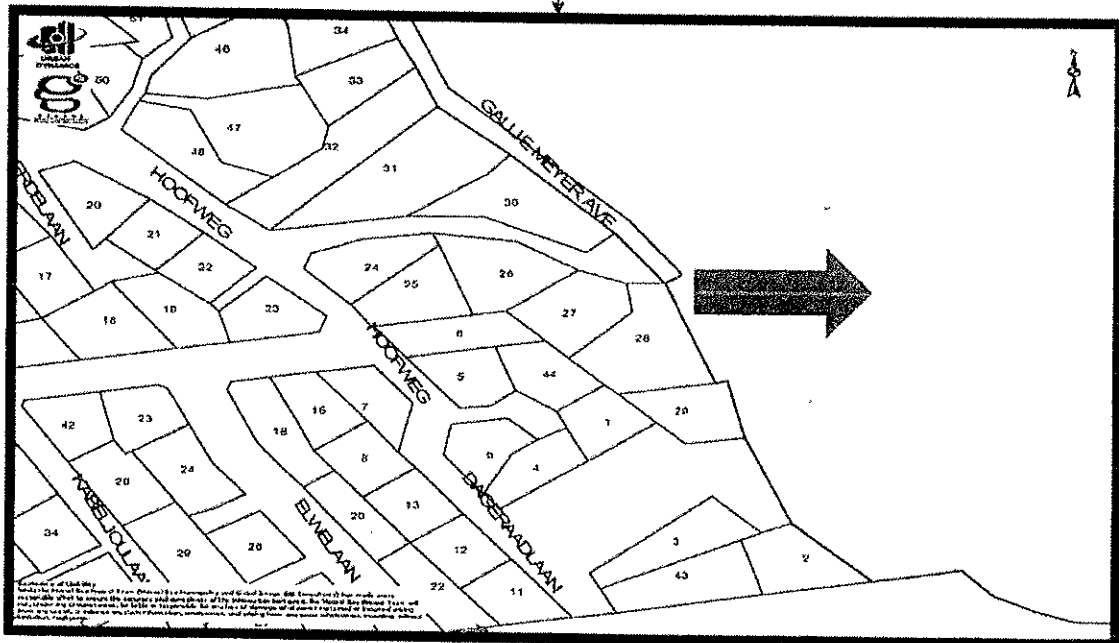
Notes

In order to ensure conformity amongst all municipal officials who deal with beach access points, the access points included in this report have been named using the name of the area, the name of the street and a unique number for each staircase.

Vleesbaai
 Gallie Meyer Avenue towards the right hand side at entrance (Staircase nr.1)



Locality scale 1:10 000



Locality scale 1:1100



As at 20/08/09:

Material of boardwalk: Timber ramps & steps
Length: 116 m
Handrail: At certain sections both sides
Rating: 7
Repairs required: Repairs to handrails and certain treads, repair and stabilize railing, oil urgently

Location: Situated next to house nr. 3 in Gallie Meyer Avenue.

Description: A wooden structure consisting of wooden steps, wooden hand rails and wooden support structure.

Present condition: Fairly good. It is missing a section of hand rail. There is evidence that repair work has recently been done.

Risk: The risk of damage to structure is high, particularly during any storm events. The fact that the structure is raised may offer it some protection during normal high tides.

Comments:

.....

.....

.....

.....

.....

.....

.....

Appendix 2 pemail from D Booysen dated 15 March 2019

Erik Botha

From: Denis Booyesen <denis.booyesen@hotmail.com>
Sent: Friday, March 15, 2019 11:29 AM
To: Erik Botha
Cc: 'Ken Whiley'; jacques@jacquesdmalan.com
Subject: FW: Request To Become a Stakeholder In The Beach Access Process
Attachments: Buffalo Bay Beach Access Points.docx

Hi Erik,

We as the representatives of the Buffalo Bay Ratepayers Association would appreciate it if we were included as stakeholders.

I have attached the mail and attachment that I sent Rafeeqah during the initial information gathering for your interest. I will be the representative for Buffalo Bay. My cell no is 0832555256 and my e-mail address is denis.booyesen@hotmail.com.

Thanking you,

Denis Booyesen

Vice Chairperson
Buffalo Bay Ratepayers Association

From: Denis Booyesen [mailto:denis.booyesen@hotmail.com]
Sent: 08 August 2017 11:12 AM
To: 'Rafeeqah Alexander' <rafeeqah.alexander@rhdhv.com>; 'tandi@coastwise.co.za' <tandi@coastwise.co.za>
Cc: 'jacques malan' <jacquesmalan1001@gmail.com>; 'Ken Whiley' <kenwhiley1@gmail.com>; 'Henrico Knoesen' <henrico@knoesen.com>
Subject: RE: Request for Existing and Historic Pedestrian Access Information

Hi Rafeeqah,

My name is Denis Booyesen, I am the Vice Chairperson of the Buffalo Bay Ratepayers Association. Our town is situated between Knysna and Sedgefield.

I am not sure if the Knysna Municipality has submitted this information to you.

In response to your request for information I have attached a Google picture indicating all the current public beach access points in the town.

Please confirm that you have received this information.

Thanking you

Denis Booyesen

From: Rafeeqah Alexander [mailto:rafeeqah.alexander@rhdhv.com]
Sent: 07 August 2017 08:49 AM
Cc: coastal.enquiries@westerncape.gov.za; Tandi Breetzke <tandi@coastwise.co.za> (tandi@coastwise.co.za) <tandi@coastwise.co.za>; Gerard van Weele <gerard.vanweele@rhdhv.com>; leptieshaam Bekko

(leptieshaam.Bekko@westerncape.gov.za) <leptieshaam.Bekko@westerncape.gov.za>

Subject: Request for Existing and Historic Pedestrian Access Information

Dear Stakeholders

REQUEST FOR EXISTING AND HISTORIC PEDESTRIAN ACCESS INFORMATION

The Western Cape Department of Environmental Affairs and Development Planning (DEA&DP) is conducting an audit of **existing and historical access points, mainly pedestrian**, along the Eden District Coast.

Notification has gone out previously, but we want to remind stakeholders that they are requested to submit information on existing, historical and desired access points along the coast. Scanned maps, documents or Google Earth placemarks are most welcomed.

Should you have any further queries, please feel free to contact myself or Tandi Breetzke (tandi@coastwise.co.za or 031 764 4947).

Regards

Mrs Rafeeqah Kamish Alexander
Environmental Consultant

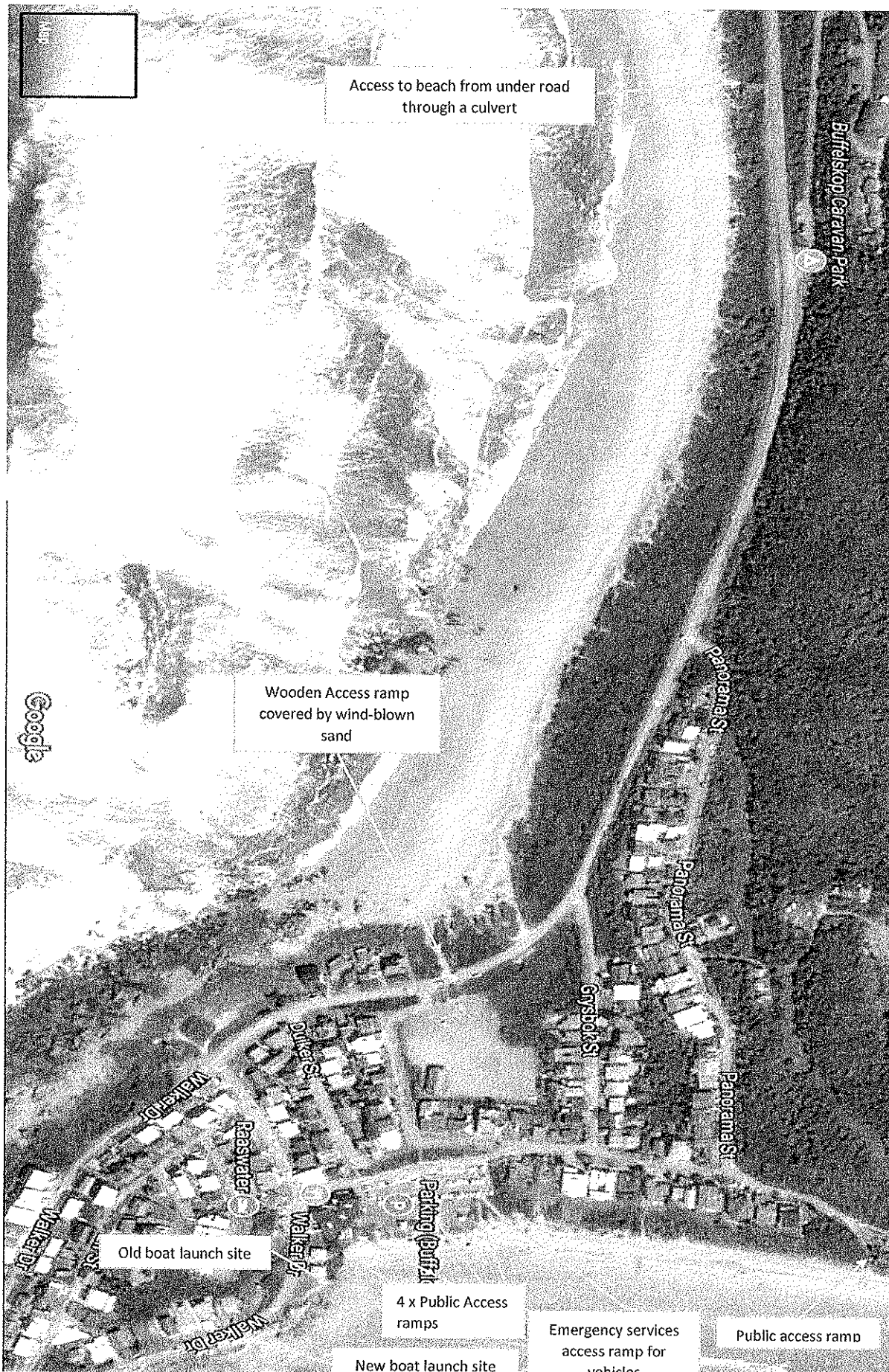
T +27 (0)21 9367600 | D 021 936 7657 | M 0727164495 | E rafeeqah.alexander@rhdhv.com | W www.rhdhv.co.za
Royal HaskoningDHV (Pty) Ltd trading as Royal HaskoningDHV | Reg No. 1966/001916/07
Royal HaskoningDHV House, Tygerberg Park, 163 Uys Krige Drive, Plattekloof, 7500
PO Box 5195, Tyger Valley, 7536, Western Cape, South Africa



**Royal
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Enhancing Society Together



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Access to beach from under road through a culvert

Wooden Access ramp covered by wind-blown sand

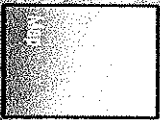
Old boat launch site

4 x Public Access ramps

New boat launch site

Emergency services access ramp for vehicles

Public access ramp



Google

Buffelskop Caravan Park

Panoramast

Panoramast

Gysbols St

Panoramast

Potkies St

Raswater

Walker Dr

Walker Dr

Walker Dr

Walker Dr

Parking (Buffaloes)

Appendix 2 q: email from C De Wilt dated 18 October 2019

Erik Botha

From: Chris de Witt <chrisdewitt1403@gmail.com>
Sent: Friday, October 18, 2019 2:32 PM
To: Erik Botha
Cc: leptieshaam.bekko@westerncape.gov.za
Subject: STAKEHOLDER MEETING DE ALMEIDA HALL MOSSEL BAY: FISHERMANS VILLAGE SECURITY ESTATE, DANA BAY, MOSSEL BAY
Attachments: Area map.docx; IMG-20191018-WA0002.jpg; IMG-20191018-WA0003.jpg; IMG-20191018-WA0004.jpg

Dear Sir

Our meeting held on 3 September 2019 at the above location refers.

First of all we would like to thank you for the information sharing at the meeting and affording us the opportunity to contribute to your coastal access study. I have been mandated by the Fishermans Village Home Owners Association (FVHOA) to provide this input on their behalf.

Back ground

Fishermans Village Security Estate was established 22 years ago and is located at the end of Heide Road in Dana bay, Mosselbay. The Estate consists out of 41 privately owned residential erven, a private road and an open space. No provision has been made in the township conditions of development for access to the beach. Access to the private road is controlled by a security gate which is manned between 06h00 and 18h00. The road is a 2.5m wide, single lane, tar road with a 30km/h speed limit. The Estate is developed as a conservancy and no fencing is allowed between the houses. Many buck species roam freely in the Estate.

Due to dunes and vegetation **no direct access** to the beach is possible from Fishermans Village. The only access to the beach is via a dirt road over land that is privately owned by Moquini Coastal Estate. The residents from Fishermans Village as a rule use the 2nd Beach access point due to the bad state of the dirt road and the difficulty to reach the beach from there. Please refer to the attached map for an oversight.

Current arrangement

As a gesture of goodwill fisherman have been allowed access over our land. By doing this we have also given them access to Moquini land for which we do not have permission from Moquini. At this stage access are permitted on presentation of a valid fishing permit. No alcohol and firearms are allowed. Due to the fact that very limited parking is available on Moquini land vehicle numbers are limited. It has to be pointed out that no official parking is available and that no ablutions are provided. This does pose health and safety risk to us and the Moquini residents.

The above arrangement with the fishermen has been documented with co operation of the Municipality.

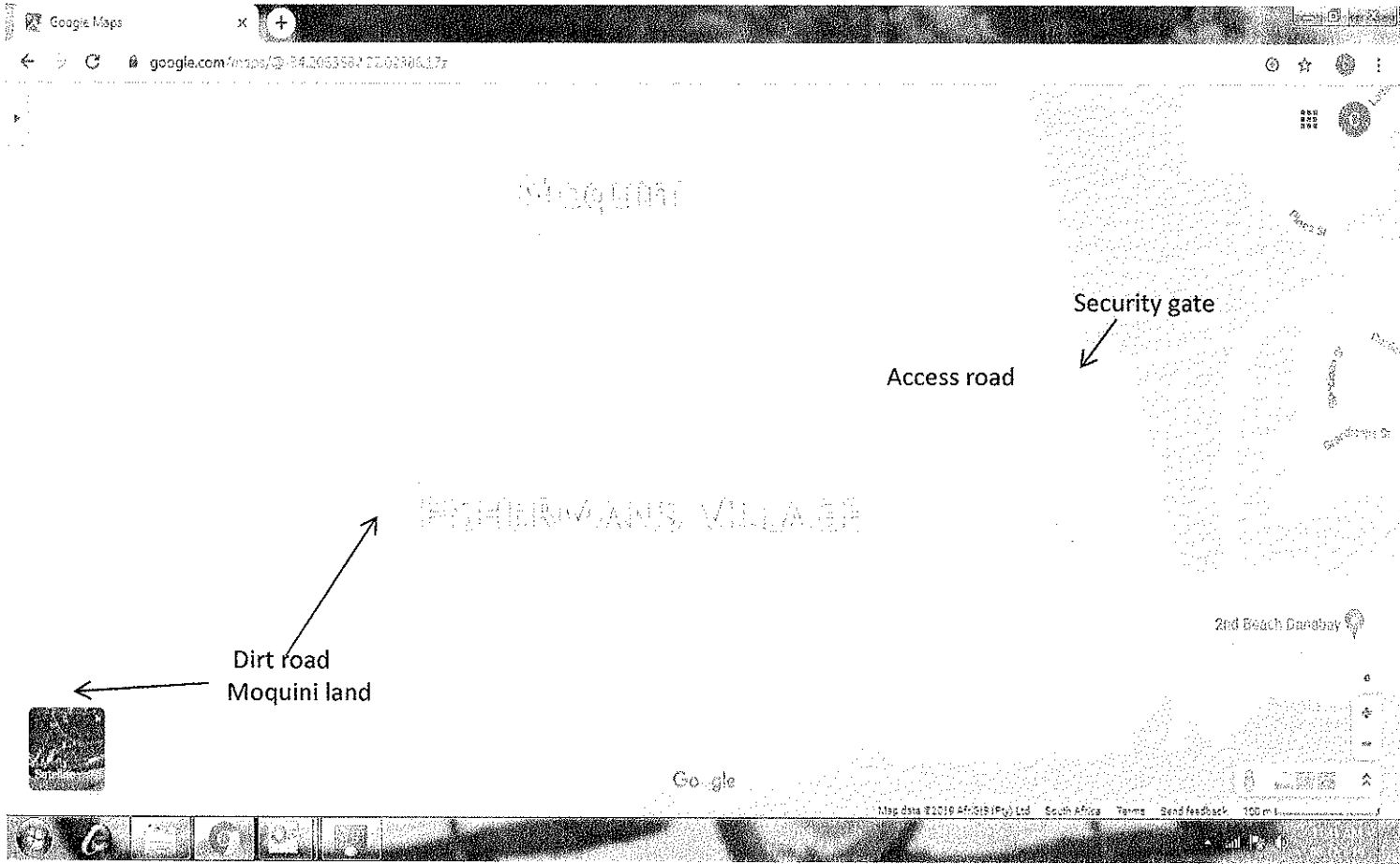
It has to be pointed out that this arrangement does pose its own challenges. Fishermans Village is under constant thread from the fisherman and the public and it has happened that they attempted forced access. Threads are being made on Facebook that Julius Malema will be called upon to break down the gate. The community living in Fishermans Village are retired and elderly law abiding citizens. They have invested and are paying a premium to live peacefully in a security estate. It is unacceptable to live under constant public harassment even though we are bending backwards be accommodating. If this trend continues Fishermans Village and Moquini will have no other option as to deny access to non residents. (Please refer to the latest Facebook posts that are attached)

Official public parking

Official parking has been provided by the Municipality at 2nd beach in Dana bay which is 300m from our access gate. Official ablution facilities and a tarred parking area is provided and maintained by the Municipality here. From this parking the beach is freely accessible in all directions.

We trust that this information will assist you in forming a picture of what our situation is. Please feel free to contact us if any further information is required.

Kind regards
Chris de Witt
Chairman:FVHOA
083 480 2942



MOQUINI

FISHERMANS VILLAGE

2nd Beach Durbay

Dirt road
Moquini land

Access road

Security gate



Google

Map data ©2016 Google, Inc. South Africa Terms Send feedback 100m





Mandie Van Heerden Rensburg

Ek stem die strand is publieke eiendom en reg daartoe mag nie geweier word nie.

10h

Like

Reply



Nic Nicolaisen

Ja ek stem saam so verander alles tot krag wat jy betaal word weggeneem. Graag sal ek wil wie het die heerser daai alleen reg gegee om sy besluit te neem is daai op wit en swart

9h

Like

Reply



Rassie Van Zyl

Dis nou simple, die plek kry nou n negatiewe vibe

9h

Like

Reply



Gert Strydom

Mev. De Klerk dit sal waardeer word as u hierdie saak ondersoek



Magriet En Kobie Coetzee 🍷 Gert Stry...



De'lia Apsey

Ag nee wat vir sulke gierigheid net een antwoord..... Ou Juliaaaaas en sy mense sal daai boom verniet kom verwyder!

9h Like Reply



Naude van Heerden

Dit sal jammer wees as hulle reels daar stel wat ander wat daar net die see en nat lyn wil geniet beperk. Direkte kontak met mev de Klerk sal help. Sy kan as sy wil.

8h Like Reply



Hennie Botha

Thys Serfontein

29m Like Reply



Patricia Allen 🍷

Marie De Klerk

Appendix 2 r: email from African Heating Vaal dated 9 Sept 2019

To: admin@ahvaal.co.za; 'Muriel Hau Yoon' <hauyoon@afrikom.co.za>
Cc: Errol Cerff <errol@errolcerff.co.za>
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement Process

Thank you Mr. Hayes.

Regards,

ERIK BOTHA

BSc. MIWMSA

ENVIRONMENTAL MANAGEMENT CONSULTING

Cell: +2782 4516881
Fax: +2786 6567442
www.erikbotha.co.za
15 Brigantine Avenue
Sun Valley
Fish Hoek
7975

From: Admin <admin@ahvaal.co.za>
Sent: Monday, 09 September 2019 10:50
To: Erik Botha <erik@erikbotha.co.za>; 'Muriel Hau Yoon' <hauyoon@afrikom.co.za>
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement Process

Good day

Please see attached document.

As per your instructions, all communication to be done via email.

Thank you

If you have any queries please do not hesitate to contact me.

Kind Regards,

Kenneth Hayes

African Heating Vaal
Tel: 016 932 2771
Fax: 086 225 7231
Email: admin@ahvaal.co.za
Website: www.ahvaal.co.za



*Consider your impact on the environment.
Do you really need to print this email?*

09/09/2019

RE: Garden Route Coastal Access Audit: Stakeholder Engagement Process

TO: Erik Botha <erik@erikbotha.co.za>

FROM: K.G Hayes Cell 082 446 7653 Telephone (016) 932 2771

Residing in (Gauteng) Director of +

Tara Lee 470/16 & 470/4

High Echelon 470/8

In the late 80's staying in Albertinia and working at the Moss Gas (Petro SA) plant I have been visiting a friend residing next to me, MR H Janse Van Rensburg residing on the East side. Access to the coast had always been over the dune via a little private path getting permission from owner and the key to the gate. He is now in the late 50's and he was born and grew up in this area.

I have moved early 90's to Gauteng and had always visited until I purchased my farm in 2009. **Before purchasing I had seeked a land surveyor Mrs B Van der Walt to check for land marks and any discrepancies and if there was any Servitudes Registered and searched where high water mark is pegged, please see attached.**

After all cleared I had then purchased.

Over the years I had made my own foot paths to the coast and with my research my farm had never in its history ever been worked on or roads been made.

I also searched further and with proper investigation having long conversations and meetings with my neighbour residing on the Western side of my farm **MR H Oosthuizen who is in his late 70's he also who had grown up in the area as well as his ancestors**, that there had never been any access to the coast over all these years. An affidavit letter can be issued from Mr H Oosthuizen.

There had been rumours that many years ago there had been a foot path to the far Western side kilometres away this is hear say...

I have done a lot of infrastructure of buildings and paths and bush cutting over the years.

With a lot of work creation of the community spending millions of rands. I reside in Gauteng and travel back words and forth monthly.

The only reason for all this confusion the negativity from the parties **Mr Boy and Janie Janse Van Rensburg and Mr Kosie Sourman** who is intimidating the local community to say there was coastal access. The above mentioned parties however have access over a ladder to the coast.

As per your coastal markings with yellow and orange points shown where did this info come from?? The points show access from high steep dunes **this false info comes from the Boy & Janie Janse Van Rensburg I presume.**

This same situation with the above parties on the other farm lands further away landed up in the high court and lost this case.

This action of the above parties reside next to other farm land owners where this would benefit their land to have access to coast, there implementation is that there farm land would increase in value and other farm land decrease in value.

It would be beneficial for the Western Cape Government Department of Environmental Affairs and Development Planning to hear the opposite side from these parties who would be myself and other parties, there seems to be a one sided view from the Western Cape Government consultants.

Hope you understand the above as this is unacceptable should the matter not be resolved I have no other alternatives as for the Western Cape to revert to my lawyers in Cape Town and George.

However for any public to move in this coastal area would be dangerous due to sand dunes the size of houses falling down from time to time.

This size of sand dunes is non-accessible to the coast due to high and steep incline sand dunes.

My farm had been changed to a registered conservation area and has game on for hunting all year round for any person to have access would be dangerous as there is high calibre hunting weapons present at any time which is managed with Cape Nature throughout the year.

We trust that the above to be clear in all respects. Should there be any queries, please do not hesitate to contact the undersigned.

Mr K. G Hayes

Cell: 082 446 7653

Office: 016 932 2771

Appendix 2 s: email from A Lourens dated 1 October 2019

Erik Botha

From: Adriaan Lourens <aslourens@gmail.com>
Sent: Tuesday, October 01, 2019 7:03 AM
To: Erik Botha
Cc: Denzil vd Merwe; Fynbosstrand Johan Van Rensburg; Fynbosstrand MARK CHEWINS; Nanno Evenhuis
Subject: Re: Coastal Access Audit Comment

Môre Erik

Ek wil net iets opklaar in my epos van gisteraand. Jy mag dalk sê dat jy nie kyk na ontwikkeling nie en dus geld my punt oor lintontwikkeling nie. Lees ASB my lintontwikkeling eweneens as lint - toeganklikheid deur die publiek tot die kuslyn. Hoe meer toeganklik hoe korter die bestaan van kuslewe. Wild kan in kampe gehou word om aan te teel in derduisende op land, ons kan nie die seelewe so laat aanteel nie. Ons kan dit slegs laat aanteel en bewaar deur die mens uit te hou.

Groete

Adriaan Lourens
0824518927

On Mon, 30 Sep 2019, 22:30 Adriaan Lourens, <aslourens@gmail.com> wrote:

Goeiedag Erik

Ek skryf namens Fynbosstrand Aandekeblok maatskappy.

Ek glip met my kommentaar so op die hond se stert by die agterdeur in wat tyd betref. Ek gaan probeer kort wees en omdat ek onlangs baie seer gekry het kan ek ongelukkig nie maklik rondbeweeg om presiese datums, plaasnommers, ens, uit my ou lêers op te diep nie. Indien u meer detail wil weet sal u my maar later moet kontak.

1. Waar kom ek vandaan.

Ek is 68 jaar oud. Nadat ek my stadsbeplanning kwalifikasie in 1975 op US verwerf het, het ek 13 jaar in die Kaapse Provinsiale Administrasie se Hoofdirektoraat Stadsbeplanning gewerk. My seksie waarvan ek later die hoof was, was verantwoordelik vir die destydse Oos - Kaap se kusgebied. Soos u weet was daar destyds geen delegasie aan plaaslike owerhede nie en het die provinsiale administrasie alle sonerings en ontwikkelingsaansoeke gehanteer.

In hierdie 13 jaar is alle ontwikkelings en hersonerings ingevolge Ordonnansie 15 van 1985 gehanteer. Sirkulasie van aansoeke is na alle instansies en owerhede verwys voordat 'n aansoek oorweeg kon word. En baie belangrik.....dit was voor die tyd van omgewingsimpakstudies. In ongeveer 1988 is ek privaatsektor toe en na nog 'n paar jare het ek my kantore in Durbanville gevestig met 'n omgewingskundige en argitek.

2. In ongeveer 1989 het ek en my vennote Plaas nr 14 van Yzervarkensfontein 461 van 400 ha gekoop. Kort daarna het die Provinsiale administrasie hulle Kusstruktuurplanne afgekondig. Daarin was bg plasie aangedui as "oordontwikkeling". Ons het aansoek gedoen vir oordsone 2 vir 58 Kaaps Hollandse rietdakhuisies wat nie 'n footprint van 120 m mag oorskry nie, geen honde mag toegelaat word nie, ens. Die natuur moes oorheers, nie massiewe siersteen huise nie. Die aansoek is logieserwys deur die Provinsie verwys na alle instansies en goedgekeur as 'n aandeelblokskema (soos ou Vleesbaai) in Desember 1990. Soos hierbo gesê was impak studies nog nie van toepassing nie en in my hele loopbaan by Provinsie het ek nooit ooit gehoor van 'n voorwaarde op 'n aansoeker dat hy moet toegang gee vir die algemene publiek nie.

3. Ons het 'n wildheining opgerig en wild op die grond gesit met toestemming van Natuurbewaring. Die Maatskappy word bestuur deur 'n direksie. Ons het baie strenger bewarings vereistes as die dept Visserye. Bv ons aandeelhouers mag geen arikreukel verwyder nie. Nie eens die 5 per dag nie. 'n Aandeelhouer wie nie sy gaste ingelig het nie is al met meer as R2000 beboet deur die direksie. Ons sit maar en kyk hoe die publiek, wat deur ander grondeienaars toegang verleen word tot die see, die kus stroop.

2.Ten slotte. Van die plasies oos van Fynbosstrand en ook wes van Fynbosstrand met dieselfde grootte van 400ha en ook met ongeveer 900meter see front is enkele jare gelede al verkoop vir R11miljoen. Dus, mense van buite betaal 'n

ongelooflike premie vir kusgrond. En wil ek vir u bysê al die sogenaamde buite mense is baie groter bewaarders as van die vorige eienaars.

Sedert my kennis van die kusgebied vanaf 1980 was daar nog nooit enige publieke toegang tot die see nie. Wel met goedkeuring van die grondeienaars en betaling (so het ek soms verneem). In ons omgewing was dit Mnr Tienie Oosthuizen wie se grond deur die Moolmans gekoop is en is dit vandag nog steeds mnr Johny Horn wie mense toelaat sonder beheer. En soos hy op 'n Duineveld Kusvergadering erken het, voor sy grond is daar niks vis meer nie so die mense moet stap na waar daar nog iets oor is.

Slot

Moet asseblief nie die lintontwikkeling langs die kus vanaf George tot Gouritzriviermond verder voortsit nie. Help ons eerder om die redelik ongeskonde kusstroke tussen Gouritz en Stilbaai en Jongens Fontein tot Puntjie te bewaar voordat daar oral niks meer oor is soos voor mnr Johny Horn.

In ligte luim

So paar jaar gelede voer "seemeeu" van Swellendam (skuilnaam omdat hy weet hy is 'n uitroeier) in Die Burger se briewekolom 'n hartstogtelike pleidooi tot die regering om De Hoop oop te stel vir die vissermanne omdat dit eintlik aan die publiek behoort en sê hy omdat galjoen trek maak dit tog nie sin om die kus te sluit nie. Aangesien ek ook die voorreg gehad het om op 'n plaas teen die Breede rivier op hierdie pragtige dorp op te groei moes ek hom antwoord. Ek stel toe voor aangesien galjoen dan so in sy eie argument 'n trekvis is, moet hy sommer op Stilbaai se strand staan en vang hulle soos hulle verbykom. Dank die Vader vir De Hoop!!! Ons kort baie meer De Hoops!! Nie lintontwikkeling!!

Groete

Adriaan Lourens.

Appendix 2 f: email from A Maggs dated 30 August 2019

Erik Botha

From: Alessandra <amaggs@mwebbiz.co.za>
Sent: Friday, August 30, 2019 8:17 PM
To: Joh Groenewald
Cc: Erik Botha
Subject: Re: Gouriqua-bewarea Access Kustoegang

Dear Joh,

I thank you again for all the time and energy you spend on the difficulties in this area and keeping all of us informed. I'd like to know what is meant by 'historical public access'. My father bought 'Seeland' seventy two years ago. It has been in our family ever since. There has never been public access and there is no precedent to allow it.

There are important considerations beyond the issue of precedence: these include fire hazard and the increased risk of theft. In particular, so far as our house, Seeland, is concerned, we have a thatched roof which makes the property even more vulnerable to fire.. and such a fire could easily spread to neighbouring land and property.

Finally, let us not forget the importance of the environment which could be irrevocably undermined.

With best wishes,
Alessandra Maggs
Seeland
Sent from my iPa

On 30 Aug 2019, at 17:37, Joh Groenewald <johgroen@mweb.co.za> wrote:

<image003.jpg>

To Members
Gouriqua Conservancy

30 August 2019

Public access to the coast

The previous "audit" of "historical public access" to the coast was thrown out by the Western Cape government last year, and a new consultant is now repeating the probe.

In the previous round we saw various claims and allegations being made about unfettered "historical" access over private property, and such stories will probably be perpetuated this time.

The consultant., Erik Botha of Fish Hoek, has drawn up tabulations with comments. ***Please refer to the attached :***

Gou1 This is the stretch from the Gouritsmond town boundary westwards, up to and including Seeland.

Sti25 is the next part west of Seeland, which according to the google map supplied, includes Gourikwa Nature Reserve (not named as such in the table).

There will be two public participation meetings in our area :
Mossel Bay, 3 September 2019, 12:00-19:00, at Dalmeida municipal hall
Albertinia, 6 September 2019, 12:00-19:00, pavilion rooml, rugby field, Theronville.

You are welcome to comment to erik@erikbotha.co.za .

We believe a draft "audit report" will be circulated before finalisation.

Aan Lede
Gouriqua-bewarea

Openbare toegang tot die kus

Die vorige "oudit" van "historiese openbare toegang" tot die kus is verlede jaar deur die Wes-Kaapse regering uitgegooi, en 'n nuwe konsultant het nou die saak hervat.

In die vorige rondte is allerlei aansprake en bewerings gemaak oor ongehinderde "historiese" toegang oor private eiendom, en sulke stories sal stellig hierdie keer voortgesit word.

Die konsultant, Erik Botha van Vishoek, het tabelle met kommentaar opgestel.

Kyk asb na die aangehegte :

Gou1 Dit is die kus vanaf die dorpsgrens van Gouritsmond weswaarts tot en met Seeland.

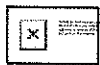
Sti25 is die res van die kus, van Seeland weswaarts, volgens die google-kaart wat verskaf is, Gourikwa Natuureservaat insluit (hoewel nie in die tabel so genoem nie).

In ons omgewing gaan twee vergaderings vir openbare deelname wees :
Mosselbaai, 3 September 2019, 12:00-19:00, by die munisipale saal, Dalmeida
Albertinia, 6 September 2019, 12:00-19:00, pawiljoen-lokaal, sportstadion, Theronville.

Jy is welkom om kommentaar te lewer : erik@erikbotha.co.za .

Ons verstaan 'n konsep-"oudit" sal voor finalisering gesirkuleer word.

Groete / Regards
Joh
(sekretaris)



Virus-free. www.avast.com

<KujstoegangGou01.pdf>

<KustoegangSti 25.docx>

Appendix 2 u: email from B Van Rensburg dated 19 March 2019

Erik Botha

From: Aloe Motors <aloemotors@telkomsa.net>
Sent: Tuesday, March 19, 2019 8:26 AM
To: Erik Botha
Cc: 'Boy van Rensburg'; 'Kosie Sauerma'; 'Gerhard Janse Van Rensburg'; marzena@telkomsa.net
Subject: RE: PUBLIC MEETINGS FOR THE DEMARCATION OF COASTAL MANAGEMENT LINES IN THE EDEN DISTRICT (ESTUARY FORUMS)
Attachments: Garden Route CA public notice_Mar2019_V2.pdf

Goeie more Erik,

Hiermee wil ek graag registreer as belanghebbende in die vorm van grondeienaar langs die kus (wat toegang ontnem is), lid van die Albertinia Sakekamer, lid van die Albertinia Toerismevereniging n.a.v. die uitnodiging om te registreer.

My besonderhede is soos volg:

- Willem Tobias Boy Janse van Rensburg
- ID 6312285010081
- Posadres: Stasiestraat 31; Albertinia; 6695
- Woonadres: Stasiestraat 31, Albertinia, 6695
- Eienaar van 'n gedeelte van die plaas Rietvlei langs die Gouritsmond-Stilbaai kus
- Ek is vertrouwd met die

Ek is (met baie goeie rede) baie skepties oor hierdie nuwe poging om data in te samel oor kustoegang na ons kus. Sien ook onderstaande Epos gedateer 31 Mei 2017 oor dieselfde onderwerp.

Ter agtergrond gee ek die name van instansies/pogings wat voorheen SPESIFIEK VERSOEK IS om kwessies ivm toegang na die kus tussen Gouritsmond en Stilbaai uit te sorteer – SONDER ENIGE SUKSES OF BEWYSE VAN VORDERING tot op hede:

- Versoeke aan Hessequa Munisipaliteit
- Versoeke aan die Eden Distriksmunisipaliteit
- Besoeke aan Wes-Kaapse DA ministers in hul kantore in Kaapstad
- 'n Besoek aan pres. Jacob Zuma en min. Ayanda Dlolo saam met ANC seniors in Kaapstad in Zuma se ampswoning
- Afriforum
- 'n Besoek ter plaatse deur Peter Mofokeng van Ayanda Dlolo se Kantoor en 'n klomp ander senior regeringsverteenvoerders
- Die Openbare Beskermer in George, adv. Gideon Landman wat 'n besoek ter plaatse afgele het saam met Afriforum en ander belangegroepe
- Die openbare konsultasieproses waarna ek in die Epos hier onder verwys.

My slotsom na my ervarings oor hierdie onderwerp die afgelope klompie jaar was dat die regering en munisipaliteite en ministers en regeringsdepartemente, provinsiaal en nasionaal, en die openbare beskermer pateties gefaal het in hul pogings om korrupsie wat kustoegang belemmer tot vandag toe, uit te sorteer. Dit dui op ruggraatloosheid en traak-my-nie-agtige optrede wat 'n verleentheid is vir elkeen van die partee wat tot datum betrokke was.

Ek hoop dat hierdie poging nie maar net nog een van 'n lang reeks vrugtelose en frustrerende pogings is om kustoegang wat ONREGMATIG van my en andere ontnem is, te herstel nie.

Dit sal jou beslis die moeite loon om die korrupsie langs die Gourits-Stilbaai kus – wat kustoegang betref – deeglik te ondersoek. Daarsonder is hierdie oefening oor kustoegang sinneloos.

Kontak my gerus vir meer inligting (wat reeds in 2017 breedvoerig verskaf is tydens die vorige ondersoek).

Boy van Rensburg
Sel. 083 6042 108

From: Boy van Rensburg [mailto:aloemotors2@gmail.com]

Sent: 31 May 2017 07:44 PM

To: 'Annelise Schutte-Vlok'; 'Kosie Sauerman'; Gerhard Janse Van Rensburg; marzena@telkomsa.net; 'Aloe Motors'; 'Boy van Rensburg'

Subject: RE: PUBLIC MEETINGS FOR THE DEMARCATION OF COASTAL MANAGEMENT LINES IN THE EDEN DISTRICT (ESTUARY FORUMS)

Goeie middag Annelise, Kosie, Gerhard, Jannie en Marzena, (Bevestig asb indien julle die Epos kry.)

Hier onder is UITERS BELANGRIKE sake ter sprake. Ek het enkele kritieke kwessies in ROOI HOOFLETTERS uitgelig.

Annelise,

Daar is baie belangrike inligting wat gedurende die afgelope 4 of 5 jaar ingesamel is oor brandpunte langs die Eden kuslyn. Dit handel spesifiek oor grond langs die hoogwatermerk tussen Gouritsmond en Stilbaai wat na alle waarskynlikheid onwettig in privaat besit gekom het en katastrofiese gevolge gehad het tot datum. Dit het gelei tot toegangsroetes wat tans versper is vir die publiek en die onregmatige uitbreiding van privaatgrond tot op die hoogwatermerk.

Hierdie ondersoek is baie tydig – mits dit deurdringend en sonder korrupsie uitgevoer word. Die omvang van die aangeleentheid is groter in omvang as die Nkandla skandaal.

Vir meer inligting hieroor kan jy asb met Kosie Sauerman kontak maak -- tel. 083 235 2148, of met my broer, Jannie van Rensburg by tel. 028 735 2334 / 0726443622.

Gerhard, Kosie, Jannie,

Kan julle die sessies op 5/6 Junie op Stilbaai/Gouritsmond bywoon en die nodige insette ook daar gee – indien julle nog nie betrokke is nie. Lees deur hierdie hele Epos en kyk na die belangrike datums in die komende week –Maandag en Dinsdag.

Ons sal ons plig versuim, en die staat sal sy plig ook versuim soos tot op hede, indien die saak nie tydens hierdie ondersoek deeglik ondersoek word met inagneming van alle beskikbare inligting nie.

Annelise,

Kontak my gerus indien jy nie vir Kosie of vir Jannie in die hande kry nie. Dit is uiters belangrik dat hulle hul insette gee. Hulle het 'n magdom inligting uit argiewe ingesamel wat dateer uit die vroeë 1800's toe moederplase vir die eerste keer onderverdeel is.

Net baie belangrik – en moet assblief nie hiervan vergeet nie:

HIERDIE ONDERSOEK SAL TOTAAL IRRELEVANT WEES EN VAN NUL EN GENER WAARDE WEES, INDIEN DIE ONDERSOEK NIE BEGIN WORD BY DIE ERA TOE DIE MOEDERPLASE UITGEMEET IS EN DIE EERSTE BAKENS INGEPLANT IS NIE. (Sommige van die oorspronklike bakens sal jy ook nie meer vind nie omdat hulle nie meer op hul oorspronklike plekke is nie.) DIE MOTIEWE EN BEDOELINGS VAN DIE EERSTE LANDMETERS SE OPMETINGS MOET OOK IN AG GENEEM WORD. KORRUPSIE EN WANPRAKTYKE SEDERT DIE EERSTE JARE NA DIE EERSTE OPMETINGS TOT OP HEDE, MOET OOK IN AG GENEEM WORD. Dit is ons plig. Indien dit nie nou gedoen word nie, sal die komende geslagte die las dra van ons ruggraatloosheid indien dit nie nou reggestel word nie.

Annelise,

Verskoon die sterk woorde, maar ek en baie ander voel baie sterk hieroor – en wel met baie goeie rede.

Kosie en Jannie het baie meer inligting. Sonder hul spesifieke insette en betrokkenheid sal die ondersoek onvolledig en oppervlakkig wees. Indien hierdie ondersoek voltooi word sonder dat die dokumente waarna ek verwys deeglik bestudeer is, en in ag geneem word in die finale uitsprake nie, sal die beplande ondersoek ook van nul en gener waarde wees.

Die regstelling van hierdie wanpraktyke oor meer as honderd jaar, het egter ongelooflike positiewe implikasies vir toerisme en ekonomiese ontwikkeling in Eden. Op hierdie oomblik kaap selfsugtige individue die belange van die publiek en andere op korrupte wyse.

Wees bedag op die onderduimse optrede van huidige staatsamptenare in belangrike poste tydens hierdie ondersoek.

Verskoon my afwesigheid by die gesprekke. Ek is tans in Romenie tot einde Julie 2017. Daarna kan ons ook persoonlik notas vergelyk.

Beste wense en baie dankie vir die uitnodiging. Ek registreer intussen as 'n belanghebbende.

Baie voorspoed in die Kaap! Ons hoop saam met julle dat die Gouritz sommer spoedig in beweging kom en dat daar goeie reens val!

Boy van Rensburg
Timisoara
0040-72-1800-457

From: Annelise Schutte-Vlok [mailto:avlok@capenature.co.za]

Sent: 30 May 2017 08:08 AM

To: avlok@capenature.co.za

Subject: FW: PUBLIC MEETINGS FOR THE DEMARCATION OF COASTAL MANAGEMENT LINES IN THE EDEN DISTRICT (ESTUARY FORUMS)

Dear GCBR members and friends

Please take note of the information about public meetings below.

Apologies if you have already received this.

Kind regards

AnneLise

On 29 May 2017, at 2:12 PM, Rafeeqah Alexander <rafeeqah.alexander@rhdhv.com> wrote:

Dear Stakeholders

PUBLIC MEETINGS FOR THE DEMARCATION OF COASTAL MANAGEMENT LINES IN THE EDEN DISTRICT

The **Western Cape Government Department of Environmental Affairs and Development Planning** is considering the use of coastal management lines, based on projections of coastal risk, as a mechanism through which coastal risks and coastal quality may be managed along the coast of Eden District Municipality. Coastal Management Lines, as provided for in Section 25 the National Environmental Management: Integrated Coastal Management Act (Act No. 24 of 2008, as amended), are boundaries that indicate the limit of development along ecologically sensitive or vulnerable areas, or, delineating an area that poses a hazard or risk to humans.

Simultaneously, the Department is conducting an audit of historic and existing pedestrian access points to the Eden coastline.

The Department has appointed Royal HaskoningDHV to model the coastal wave action and erosion, and to delineate coastal management lines based on the risk projections.

The Western Cape Government invites Interested and Affected Parties (I&APs) to participate in the current project phase (determining coastal risks) by:

- (i) commenting on provisional wave run-up and erosion risk projections for Eden District,
- (ii) attending public meetings where the projections will be presented, as well as,
- (iii) providing the project team with information on historic and current pedestrian access to the shoreline.

The formal review period for comments from stakeholders will extend from 26 May 2017 up until 26 June 2017.

An explanatory report and the draft projections of wave run-up and erosion risk for viewing in Google Earth™, can be obtained from the project team or downloaded from the following websites:

<https://sites.google.com/site/rhdhvcoastal/> or <https://royalhaskoningdhv.box.com/v/EdenCML>.

I&APs will have a direct opportunity to make input at public meetings where the risk projections will be presented and explained. The town, dates, times and venues of the public meetings are provide in the table below:

| Town | Date | Time | Meeting venues |
|-----------------|------------------------|-------------|--|
| Still Bay | Monday, 5 June 2017 | 18:00-20:00 | Community Hall, Main Road West |
| Witsand | Tuesday, 6 June 2017 | 10:00-12:00 | Community Hall, Tuna Street |
| Gouritzmond | Tuesday, 6 June 2017 | 17:00-19:00 | Community Hall, Voortrekker Street |
| Plettenberg Bay | Wednesday, 7 June 2017 | 17:00-19:00 | Piesang Valley Community Hall, Hanois Drive |
| Knysna | Thursday, 8 June 2017 | 10:00-12:00 | Premier Hotel, George Rex Drive |
| Wilderness | Thursday, 8 June 2017 | 17:00-19:00 | NG Kerk, Hoekwil |
| Mossel Bay | Friday, 9 June 2017 | 10:00-12:00 | Reebok Community Hall, Koedoe Avenue, Reebok |

Additional stakeholders can request to be registered on the project stakeholder database or request further information from:

Rafeeqah Alexander 021 936 7657 (t) rafeeqah.alexander@rhdhv.com or
 Saa-rah Adams 021 483 0773 (t) coastal.enquiries@westerncape.co.za

Kindly forward the contents of this email to all I&APs who may benefit from attending these meetings.

Regards

Mrs Rafeeqah Kamish Alexander
 Environmental Consultant

T +27 (0)21 9367600 | D 021 936 7657 | M 0727164495 | E rafeeqah.alexander@rhdhv.com | W www.rhdhv.co.za
Royal HaskoningDHV (Pty) Ltd trading as Royal HaskoningDHV | Reg No. 1966/001916/07
 Royal HaskoningDHV House, Tygerberg Park, 163 Uys Krige Drive, Platteklouf, 7500
 PO Box 5195, Tyger Valley, 7536, Western Cape, South Africa

<image001.jpg>

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Julie Carlisle
Garden Route Biosphere Reserve
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www.grbr.org.za



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Appendix 2 v: email from A Botha dated 2 Sept 2019

Geagte Menere. 02/09/2020

Rakende kus toegang Gouritsmond

Ek merk op dat een van die fotos op die brief van my grond is .

Hiermee dan my opinie ,die gedeelte waarvan gepraat word is ongeveer 14 KM Waarvan plus minus 7 km van die pad reeds teen die kus loop en dus outomatiese toegang verleen.

My opinie is baie duidelik dat ek NIEMAND die voorreg van die see wil ontnem nie , en talle toeriste /vissermanne stap gedurig met die see langs, verby my huis en geniet die kuslyn.

Nou dat dit duidelik gemaak is, wil ek my punt stel . My familie "Botha " kom al meer as n 100 jaar na Gourits en my Oupa het "Meeuvlug" laaste huisie voor Gourikwa, aan see kant van die pad gebou in 1928 waar ek dan ook grootgeword het .

In daardie jare het alle toeriste /vissermanne op die normale plekke toegang tot die see verkry = waar die pad teen die see loop en by haaikrans en holkom . My grond was destyds deur Mr Klasie Saaiman 60's besit en later deur Bart Oosthuisen 70's en dan ook Bokkie Horn 80's en later Rosetta Nondo 90's ,ek mag dalk iemand uitlaat maar vergewe my asb . Nooit in die vroeer jare was daar enige toegang oor my persoonlike grond nie .In die nadere verlede 90,s was die grond nie meer bewoon nie en was daar sekere van die publiek wat hierdie geleentheid, onwettig /krimineel misbruik het.(In ons statute is betreding nog altyd n kriminele oortreding.)

Nou ,dit kan gese word, dat as baie lede van die publiek oor n rooi robot ry dat dit gewettig moet word ,maar ons weet almal waar sulke onwetsgehoorsame optrede die reeds kwesbare situasie van ons land sal laat.

Ek het hard gewerk om n stukkie grond te kan bekostig in n area wat vir my baie spesiaal en sentimenteel is ,en enige persoon kan ook so doen .Ek betaal baie duur aan belasting juis om soos enige huiseienaar of grond eienaar die rustigheid en prag van daardie eiendom te volle te geniet .

Ek weet almal is nie finansiell in die selfde groep nie ,maar soos met vakansie verblyf pas almal aan by wat hy kan bekostig en verdien ,sommige kamp in tente ,sommige in karavane ,party huur n huisie ,ander bly in n een ster hotel en die wat meer het bly in n vyfster hotel.. niemand wat in n tent bly kan hom die reg toe eien om in die Michael Angelo hotel te bly vir gratis net omdat dit daar is nie ??

Die paar mense wat kla oor toegang oor veral my grond dink dat die meerderheid van staats beamptes of dom of oningelig is .. Om van die pad af te stap tot teen die see is ongeveer 500 meter om na dieselfde plek te stap van waar die pad teen die see is is ongeveer 1300 meter (geskat), Elana Meyer kan dit in 3 minute doen ,en die loper sekerlik in 10 dalk 15 minute, neem dan weg die 4 minute van die pad af ,dan is dit n ekstra 6 of 11minute se loop .Dus my gevolgtrekking en die van enige intelligente persoon is dat die klaers nie kla oor toegang nie, maar net bloot uit luiheid.Dit is nou nie meer gerieflik nie, Dalk wil hulle soos in die kort verlede oor die grond ry of iemand moet n bussie reel om hulle in gerief oor n ander belastingbetalende eienaar se grond te vervoer ,waar hulle dan op my stoep kan braai of inbreek (2 maal) en van n wetsgehoorsame belastingbetalende eienaar n skurk te maak net omdat ek op my regte, waarvoor ek belasting betaal aandrings.

Ek hoop die leser van die brief het die intellek om onmiddellik deur die klaers se agenda te sien .

Groete

Adv Arnold Botha

PS as u enigins my wil uitvra skakel asb 0832262726 ek is nie skaam vir my optrede nie.

PPS Ek sou graag die vergadering wou bywoon maar vind die 6 dae kennisgewing is net te kort om van Johannesburg af te kom

Appendix 2 w: email from B Hoogenhout dated 16 Sept 2019

Erik Botha

From: Ben Hoogenhout <bhoogenhout@gmail.com>
Sent: Monday, September 16, 2019 3:04 PM
To: Erik Botha
Cc: Muriel Hau-Yoon
Subject: Coastal access audit Garden Route.
Attachments: CCE04072018.pdf

Good day Mr. Botha

Hereby included my objection notice submitted 10 JULY 2018 (attached) by which I still stand.

Furthermore I must add that the rural areas have become increasingly unsafe due to unprecedented increase in farm attacks as well as other serious crimes, especially towards women, committed in rural and as well as in urban areas! Recently the Hessequa Municipality has been trying very hard to safeguard the citizens of our beautiful Southern Cape towns by means of installation of security cameras and other measures taken, reported in the Stilbaai Nuus. Having random access routes to the sea for the public will only exacerbate this major problem. The Municipality/police will in no way be able to safeguard the property or the owners. Clearly this whole issue of coastal access is and has been been hopelessly blown out of proportion by four individuals, well known by all stakeholders, from Albertinia, for their own selfish needs and intensions they are running a campaign with their hidden agenda, which is a really a feud against their neighbours, using any means to achieve their goals!

There are neither ablution facilities nor any drinking water supply along this section (Stil 17) of coastline! A large percentage of this coastline is of a rocky nature and in many ways pose extremely dangerous conditions during high waters especially at spring tides causing rock falls/slips and can hardly be walked/hiked as a thoroughfare in a normal manner. This phenomenon has increased over the years and can be clearly seen, due to the effect of higher water levels happening globally. As an example ,Mr. H. Janse Van Rensburg (tel 082 5787477) told me personally that on Sunday 8 September 2019 he went down to the beach below his and my properties. While standing on the beach he saw a massive cliff face (probably thousands of tons of rocks and rubble) break loose exactly where he had been walking a few minutes earlier virtually covering the whole section of beach! That happened at approx. 11am with no spring tide, precisely showing how extremely dangerous this coastal area has become!

Another major risk factor especially in this Fynbos biome is runaway veld fires, this risk has increased dramatically due to Global warming and an increase in day and night temperatures. The fire risk will increase immediately with more human activity. Most veld fires are started accidentally, by total negligence or even arson, and can cause massive damage to the whole area as well as fencing, houses and farm buildings. These extremely dangerous fires can also cause unnecessary deaths to humans, stock and wildlife.

In the tables, paragraph " concerns" mentions that the Hessequa Municipality must comment on the question whether title deeds of private properties require provision of public coastal access or not. What do they hint or imply with a statement as such? Meaning that any person can possibly transgress on properties that are in private or other ownership. If it were to be so, then it would straightforwardly boil down to be blatant trespassing, which is obviously against the law!

Any proposed access to the coast (for whatever reasons) must include safe passages for the elderly, handicapped persons in wheelchairs and parents bringing their babies in strollers or prams. My belief is that these proposed accesses should be kept within the municipal town areas where adequate safe parking, refuse removal, ablutions and water can be easily supplied and maintained.

Kind regards

BM HOOGENHOUT (BOSBOKBAAI (PTY) LTD & WELLINGTON KRUIS (PTY) LTD)

Good day

OBJECTION NOTICE :- COASTAL ACCESS AUDIT FOR THE EDEN DISTRICT - MARCH 2018

I (BM HOOGENHOUT) am a director of the company owning property Portion 1 of Kieries Post(1/603) in the Hessequa Municipal area in the Riversdale District.

This property was bought in 2001 and transferred to a company named Wellington Kruis (Pty) Ltd.

In your audit (Coastal Access Audit for the Eden District :-FID 9 and 321a), I have noted, that my fire break used as access road for fire fighting equipment is indicated as a "historical informal path/road access" that has been closed.(See photos 1,2 and 3 taken from your report)

As a member of the Southern Cape Fire Protection Association I am compelled to comply with the National Veld and forest Fire Act (101 of 1998). Fire breaks are compulsory. As this section of the sea frontage was covered by an impenetrable mass of "Rooikrans" species, which is a fire hazard, I had a group of workers (see three attached photos) open up a fire break across the property right up to the high water mark. This narrow property only has 130m sea frontage, therefore the fire breaks had to be made across the property, not following the borders which cross the dune at very steep angles varying between 45 - 60 degrees making erosion a definite likelihood if managed improperly. This fire break was then opened for access by fire fighting equipment and then covered with Buffalo grass to prevent any erosion! This works very effectively as no erosion has taken place. On photo 4 (Google Earth) the extent of the fire breaks A,B,C,D and F are indicated. D to F is your false claim of "historic access"!

After extensive enquiries, I established that there has never been any public access point or an acquisition by prescription or servitude by other landowners over this property to the seaside. There is also no sign of usage by the seaside for camping by any peoples, or the public, furthermore there are no cattle troughs or any potable water on the sea side of the dunes.

If any person or land owner alleges that they had "historical access" road over my property by right of way or by other means, then it must be dismissed as a blatant lie and is an opportunistic claim orchestrated clearly to their own advantage! Clearly there is a direct interest by nearby farm owners who have made concentrated efforts with questionable, untested allegations in the Eden Coastal Report Oct. 2017, Appendix C ,as Stakeholders! The rest of the property above the vlei is fenced by means of game fencing and game is, and will be, kept in this enclosure. The real danger exists that members of the public could take the law into their own hands and trespass on any of the properties unlawfully causing unnecessary conflict due to not understanding the true facts.

An interesting fact is that during 1975 my wife and myself travelled the old divisional road from Gouritsmond to Still Bay a number of times, that is before it was relocated and rebuilt in aid of the Gouriqua Nuclear Research Center. We noted that the sandy road had virtually no road reserve fences and all the farm borders had gates, more than 30 in total. All the farms still had their original owners and the accesses to the seaside was used exclusively by the owners 43 years back. Consent to go down to the seaside was procured by asking the owners for a favour and not by "so-called historical accesses"!

In the Supreme Court a case between Fynbos Byery and Groenkant Nature Reserve (FID 29 in the Report) it was proven that a claim of "historic public access" over Groenkant is a misnomer and was fended off with costs! Most of your points marked as "closed historical access" are undoubtedly misnomers, that is, those indicated on your Google Earth attachments.

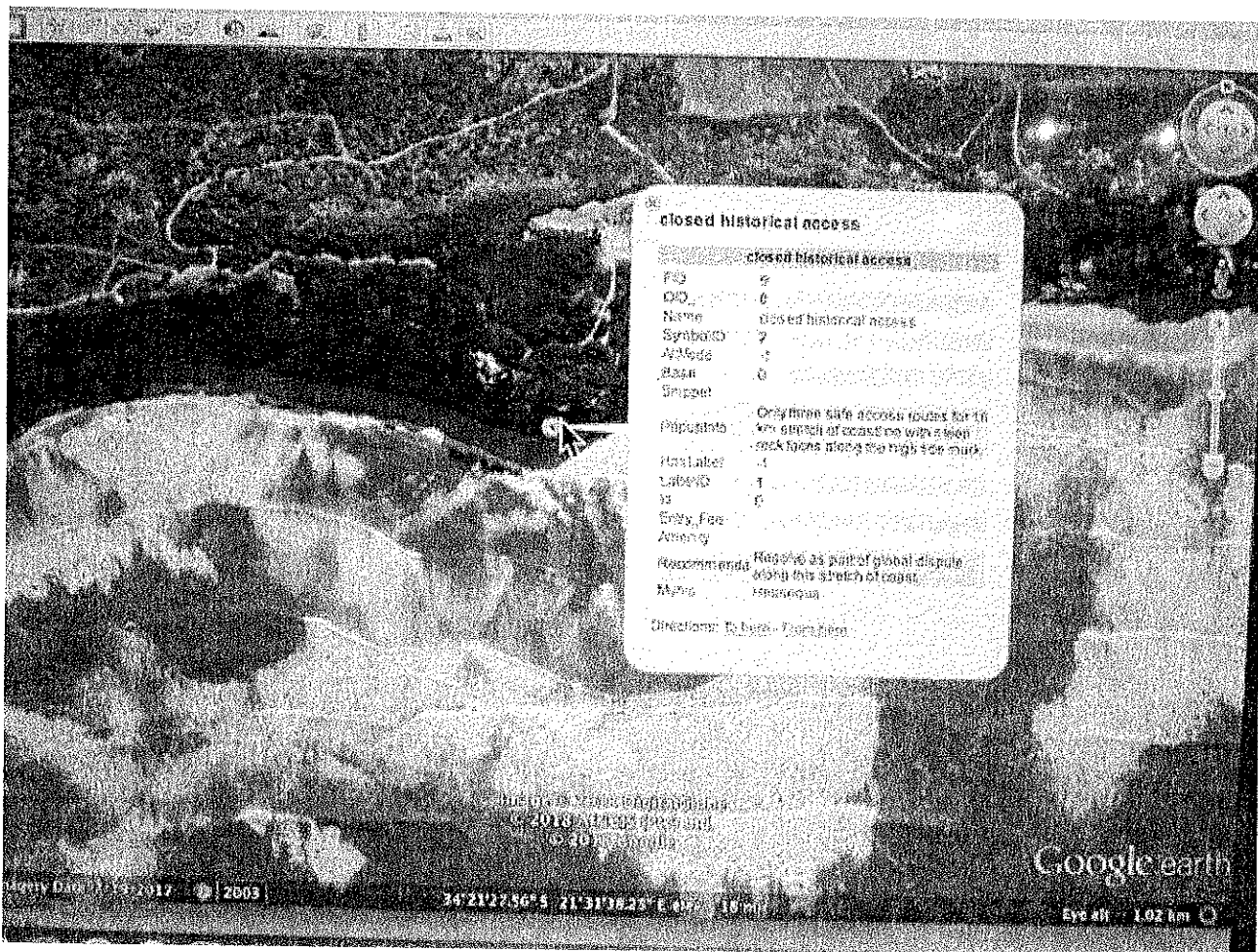
I must emphatically state that if any of the "so-called historic accesses" are opened on this pristine coast over private land it will be a very sad day indeed. It could cause very volatile situations as farm attacks occur daily:- murder, torture, rape, poaching, theft and arson are happening all over the country, attacks and murders have very recently occurred at Still Bay, Jongensfontein and Blombos, numerous persons killed and injured! Popular sites for such attacks are at isolated places, such as along this coastline.

I believe you will fully understand that this matter is of serious concern to all property owners along the coast.

Kind regards,

BM HOOGENHOUT (Director) (Tel 021 8641215)

WELLINGTON KRUIS (PTY) LTD
WOESTKLOOF
P O BOX 132
WELLINGTON
7654









Rietvllei April 2001 - The making of the footpath down to the sea, acting as a firebreaks.

Appendix 2 x: email from B Steyn dated 26 Sept 2019

Erik Botha

From: Ben Steyn <bensteyninc@gmail.com>
Sent: Thursday, September 26, 2019 4:41 PM
To: Erik Botha
Subject: FW: Deurgang na die kus

Importance: High

m: Ben Steyn [<mailto:bensteyninc@vodamail.co.za>]
Sent: 25 September 2019 12:04 PM
To: 'erik@erikbotha.co.za'
Cc: 'steyn.taillefer@gmail.com'
Subject: Deurgang na die kus

Eiendom: DRIE FONTEIN 464 Langeberg Munisipaliteit Distrik Riversdal

- 1) Daar is hoegenaamd geen serwituut wat toegang of deurgang verleen tot die kus of enigsins ander geregistreer teen die Titelakte van hierdie eiendom nie.
- 2) Vir die afgelope 16jr sedert die aankoop van die eiendom deur die huidige eienaar in 2003 was daar hoegenaamd geen sprake van publieke toegang/deurgang na die kus nie.
- 3) Gedurende die eiendomstermyn van die vorige eienaars was daar ook geen sprake van sodanige deur/toegang nie. Die broer van die eienaar ene Oosthuisen is toestemming verleen om n slaaphut op De Rus 469 op te rig vir eie gebruik en het soms familie en vriende hier per uitnodiging onthaal.
- 4) Navraag by aangrensende eiendom se voorganger het bevestig dat daar sover sy geheue hom bedien daar vir ongeveer 60 jr geen publieke toegang/deurgang tot die kus oor hierdie eiendom was nie. Sekere belangegroep, kennis, familie, vriende en ander word toegelaat om per afspraak toegang/deurgang tot die kus te geniet vir ontspanning terwyl n groot premie geplaas word op bewaring en skoonmaak van die natuur.

Ben Steyn

Direkteur WINNERS POINT 104 Trading Edms/Bpk

Erik Botha

From: Ben Steyn <bensteyninc@gmail.com>
Sent: Thursday, September 26, 2019 4:42 PM
To: Erik Botha
Subject: FW: TOEGANG TOT DIE KUS

Importance: High

From: Ben Steyn [mailto:bensteyninc@vodamail.co.za]
Sent: 25 September 2019 12:52 PM
To: erik@erikbotha.co.za
Subject: TOEGANG TOT DIE KUS

Eiendom: Aandeelhouer DE RUS 469 in die munisipale gebied van Langeberg Distrik Riversdal

1) Daar is absoluut geen serwituut of enige ander saaklike reg geregistreer teen die titel wat enigsins toegang deur die

Publiek of enige ander persoon oor die eiendom tot die kus verleen nie.

2) Gedurende die afgelope 16 jr wat die huidige eienaar hierdie spesifieke aandeel besit was daar geen sprake van publieke

toegang oor hierdie eiendom tot die kus nie. Die voorganger in titel het by monde van sy broer bevestig dat dit sover sy kennis strek

van toet af die situasie was. Ook die voorganger van n nabygelee plaas bevestig dat hyself van kleins af hierdie situasie aldus ervaar het.

3) Dit is wel so dat sekere aandeelhouers toegangsfooie hef en sekere individue toegang verleen maar dit vergestalt geensins

vrye publieke toegang nie. Toegang geskied steeds altyd met vergunning van die eienaar.

4) Die spesifieke eiendom behoort juis aan verskillende eienaars omdat voorsiening gemaak is vir aangrensende grondeienaars se toegang tot die varswater fontein op die kus en die kus self. Elke eienaar was dus verplig en het n premie betaal vir sodanige

REG om toegang tot die kus te geniet.

Dit is duidelik dat daar geen vrye publieke toegang oor hierdie eiendom tot die kus was nie. Geregistreerde eienaars het van tyd tot tyd

vergunnings verleen aan spesifieke persone om toegang/deurgang oor hul eiendom te geniet.

Ben Steyn

Aandeelhouer DE RUS 469 Langeberg Munisipaliteit Distrik Riversdal

Appendix 2 y: email from D Munnick dated 21 August 2019

Erik Botha

From: Danie Munnik <daniemunnik@yahoo.com>
Sent: Wednesday, August 21, 2019 10:06 AM
To: Erik Botha
Subject: Information - Building on coast line
Attachments: Terreinplan 2.pdf

Good morning Erik

I received your details from Wade Theron DAFF Wet Coast.

I don't know if you know that they want to build a abalone farm in Gouritsmond and the community are busy with petitions against this farm.

Is it possible if you can assist me. Do you know what is the distance for the building line from the coast line.

Here is one of the petition (Objection questions) - Consent for a deviation in order tyo exceed the 30.0 meter building line on the southern border to a maximum of 10.0 meters

Please see the Terrein Plan also if possible

I hope that you will assist me. The abalone farm is not going to be a goof thing for Gouritsmong

Regards

Danier Munnik

Appendix 2 z: email from E Barnard dated 16 Sept 2019

Erik Botha

From: Eben Barnard <eben.qds@gmail.com>
Sent: Monday, September 16, 2019 9:47 AM
To: Erik Botha
Cc: Barnies Bearing Works; Riaan; Johan Barnard
Subject: Ondersoek na openbare toegang tot die kus - Afdeling Riversdal (kusgebied besuide Albertinia)

RE: Restant van Gedeelte 2, Yzervarkenfontein No 461 (Seebries Oord)

Geagte Mr Botha,

Ons is die eienaars van die Seebries Oord en in besit van die eiedom vir meer as 34 jaar.

Ons het slegs toestemming vir famielie en vriende in die verlede gegee vir toegang tot die kus oor ons grond sonder vergoeding.

Laat weet asb of daar enige eiese is van mense wat aanspraak maak dat hulle toegang tot die kus oor ons grond in die verlede gehaad het. Stuur asb name en datums.

Ons sal dit graag wil teenstaan.

Groete

Eben Barnard

0846572996

Appendix 2 aa: submission from Zietsmann dated 12 Jul 2019

COASTAL ACCESS AUDIT (Zietsman)

Departement van Omgewingsake en Ontwikkelingsbeplanning, Wes-Kaap Regering
Verwysing: Royal Haskoning DHV Ref: MD 2368 Authority Ref: EADP 1/2016

12 Julie 2018

Vir aandag: Mnr P Van Zyl

Per e-pos: Pieter.vanZyl@westerncape.gov.za

Cc: coastal.enquiries@westerncape.gov.za (Saa-rah Adama)

Rafeeqah.alexander@rhdhv.com (Rafeeqah Alexander)

Jessica.christie@westerncape.gov.za (Jessica Christie)

KOMMENTAAR: OUDIT MBT TOEGANG TOT DIE KUS VIR DIE EDENDISTRIK – MAART 2018

Namens die trustees van die Middelpunt Trust lewer ek graag soos volg kommentaar op genoemde ouditverslag met betrekking tot see-eiendom in besit van genoemde Trust. Sien meegaande kaart ter ondersteuning van ons posisie.

1. Gedeelte A is reeds in 1913 deur ene Paul Zietsman gekoop en die eiendom is op 28-07-2013 op sy naam oorgedra. Die gedeelte is dus reeds 105 jaar in die Zietsman's se besit.
2. Gedeelte B is op 31-08-1954 deur ene Willie Zietsman aangekoop. Die gedeelte was vir 52 jaar die eiendom van die Zietsmanfamilie totdat hierdie gedeelte in 2006 verkoop is.
3. Gedeeltes A en B het onder die Zietsmanfamilie as die "Duine" bekend gestaan.
4. Gedeeltes A en B was van meet af 'n aktiewe boerderyonderneming ter ondersteuning en aanvullend tot die primêre boerderyeenheid van die Zietsmanfamilie op die plaas Middelpunt/Voëlvele aan die oostekant van die nabygeleë Gouritzrivier. Op genoemde gedeeltes A en B is daar met skape en beeste geboer. Die jare wanneer die reënval goed was, is daar ook gesaai. Verder is die natuurlike riet op die grond gereeld ge-oes. In belang van die boerdery is die eiendom (gedeeltes A en B) omhein. Plaashekke was altyd toegehou en waar nodig gesluit. Die publiek het dus **NIE** toegang tot die kus gehad **NIE**.
5. Die vorige pad tussen Gouritzmond en Stilbaai het bykans 'n kilometer vanaf die kus oor gedeeltes A en B geloop. Hierdie pad (Ondergeskiktepad 299) is egter reeds in 1989 finaal gesluit en gedeproklameer aldus Proklamasie PK 104/1989. Geliewe daarop te let dat genoemde pad ver van die kus af oor die Zietsmanfamilie se grond geloop het en derhalwe **NIE** aan die publiek toegang tot die kus op genoemde gedeeltes gegee het **NIE**.
6. In al die jare (sien punt 1 en 2 hierbo) was daar **NOOIT** enige sprake van openbare toegang tot die kus aan die hand van enige bestaande openbare pad van watter aard ook al **NIE**. Dit is tot vandag toe steeds so op gedeelte A asook op gedeelte B wat sedert 2006 aan 'n nuwe eienaar behoort.
7. Die Zietsmanfamilie is trots om te noem dat hulle oor geslagte heen sensitief teenoor die ekosisteem en marinebronne was. Neem ook kennis dat genoemde gedeeltes A en B op 18-10-1991 in die Provinsiale Gasette 4719 tot private natuurreservaat verklaar is. Die naam "De Duine Private Natuurreservaat" is daaraan toegewys.

Appendix 2 bb: email from F Tallie dated 14 Sept 2019

Erik Botha

From: Fernando Tallie <ftallie@wispnet.co.za>
Sent: Saturday, September 14, 2019 1:35 PM
To: Erik Botha
Cc: 'Willie Zietsman *Transnet Property PLZ'
Subject: Vergadering 6 September Albertinia - Toegang tot die Kus
Attachments: Duine - Toegang tot die kus.msg.docx; Duine - Toegang tot die kus - Kaart.pdf

Goeiedag mnr Botha

Die vergadering op Albertinia gehou op 6 September 2019 insake toegang tot die kus het betrekking.

Sien asb meegaande skrywe en kaart hierby aangeheg.

1. Die eerste sewe punte van die skrywe was aan mnr P Van Zyl (Departement van Omgewingsake en Ontwikkelingsbeplanning) gedateer 12 Julie 2018.
2. Die volgende agt punte in die skrywe het ek bygevoeg na afloop van bogenoemde vergadering.

Bevestig asb ontvangs van hierdie skrywe.

U aandag en terugvoering aan die Middelpunt Trust word waardeer.

Vriendelike groete

FM Tallie
(Nms Middelpunt Trust)

Departement van Omgewingsake en Ontwikkelingsbeplanning
Wes-Kaap Regering

Verwysing: Royal Haskoning DHV Ref: MD 2368
Authority Ref: EADP 1/2016

12 Julie 2018

Vir aandag: Mnr P Van Zyl

Per e-pos: Pieter.vanZyl@westerncape.gov.za

Cc: coastal.enquiries@westerncape.gov.za (Saa-rah Adama)
Rafeeqah.alexander@rhdhv.com (Rafeeqah Alexander)
Jessica.christie@westerncape.gov.za (Jessica Christie)

KOMMENTAAR: OUDIT MBT TOEGANG TOT DIE KUS VIR DIE EDENDISTRIK – MAART 2018

Namens die trustees van die Middelpunt Trust lewer ek graag soos volg kommentaar op genoemde auditverslag met betrekking tot see-eiendom in besit van genoemde Trust. Sien meegaande kaart ter ondersteuning van ons posisie.

1. Gedeelte A is reeds in 1913 deur ene Paul Zietsman gekoop en die eiendom is op 28-07-1913 op sy naam oorgedra. Die gedeelte is dus reeds 106 jaar in die Zietsman's se besit.
2. Gedeelte B is op 31-08-1954 deur ene Willie Zietsman aangekoop. Die gedeelte was vir 52 jaar die eiendom van die Zietsmanfamilie totdat hierdie gedeelte in 2006 verkoop is.
3. Gedeeltes A en B het onder die Zietsmanfamilie as die "Duine" bekend gestaan.
4. Gedeeltes A en B was van meet af 'n aktiewe boerderyonderneming ter ondersteuning en aanvullend tot die primêre boerderyeenheid van die Zietsmanfamilie op die plaas Middelpunt/Voëlvllei aan die oostekant van die nabygeleë Gouritzrivier. Op genoemde gedeeltes A en B is daar met skape en beeste geboer. Die jare wanneer die reënval goed was, is daar ook gesaai. Verder is die natuurlike riet op die grond gereeld ge-oes. In belang van die boerdery is die eiendom (gedeeltes A en B) omhein. Plaashekke was altyd toegehou. Weens die toenemende betreding en ongemagtigde toegang op privaat eiendom het die Zietsmans die hekke gesluit. Daar was wel enkele gevalle waar **toestemming** aan 'n nabye vriend/kennis gegee is om op die seeplaas te gaan hengel. Dan is daar 'n **vaste reëling** met sleutels getref en moes die hekke te alle tye gesluit bly. Die breë publiek het dus **NIE** toegang tot die kus gehad **NIE**.
5. Die vorige pad tussen Gouritzmond en Stilbaai het bykans 'n kilometer vanaf die kus oor gedeeltes A en B geloop. Hierdie pad (Ondergeskiktepad 299) is egter reeds in 1989 finaal gesluit en gedeproklameer aldus Proklamasie PK 104/1989. Geliewe daarop te let dat genoemde pad ver van die kus af oor die Zietsmanfamilie se grond geloop het en derhalwe **NIE** aan die publiek toegang tot die kus op genoemde gedeeltes gegee het **NIE**.
6. In al die jare (sien punt 1 en 2 hierbo) was daar **NOOIT** enige sprake van openbare toegang tot die kus aan die hand van enige bestaande openbare pad van watter aard ook al **NIE**. Dit is tot

vandag toe steeds so op gedeelte A asook op gedeelte B wat sedert 2006 aan 'n nuwe eienaar behoort.

7. Die Zietsmanfamilie is trots om te noem dat hulle oor geslagte heen sensitief teenoor die ekosisteem en marinebronne was. Neem ook kennis dat genoemde gedeektes A en B op 18-10-1991 in die Provinsiale Gasette 4719 tot private natuurreservaat verklaar is. Die naam "De Duine Private Natuurreservaat" is daaraan toegewys.

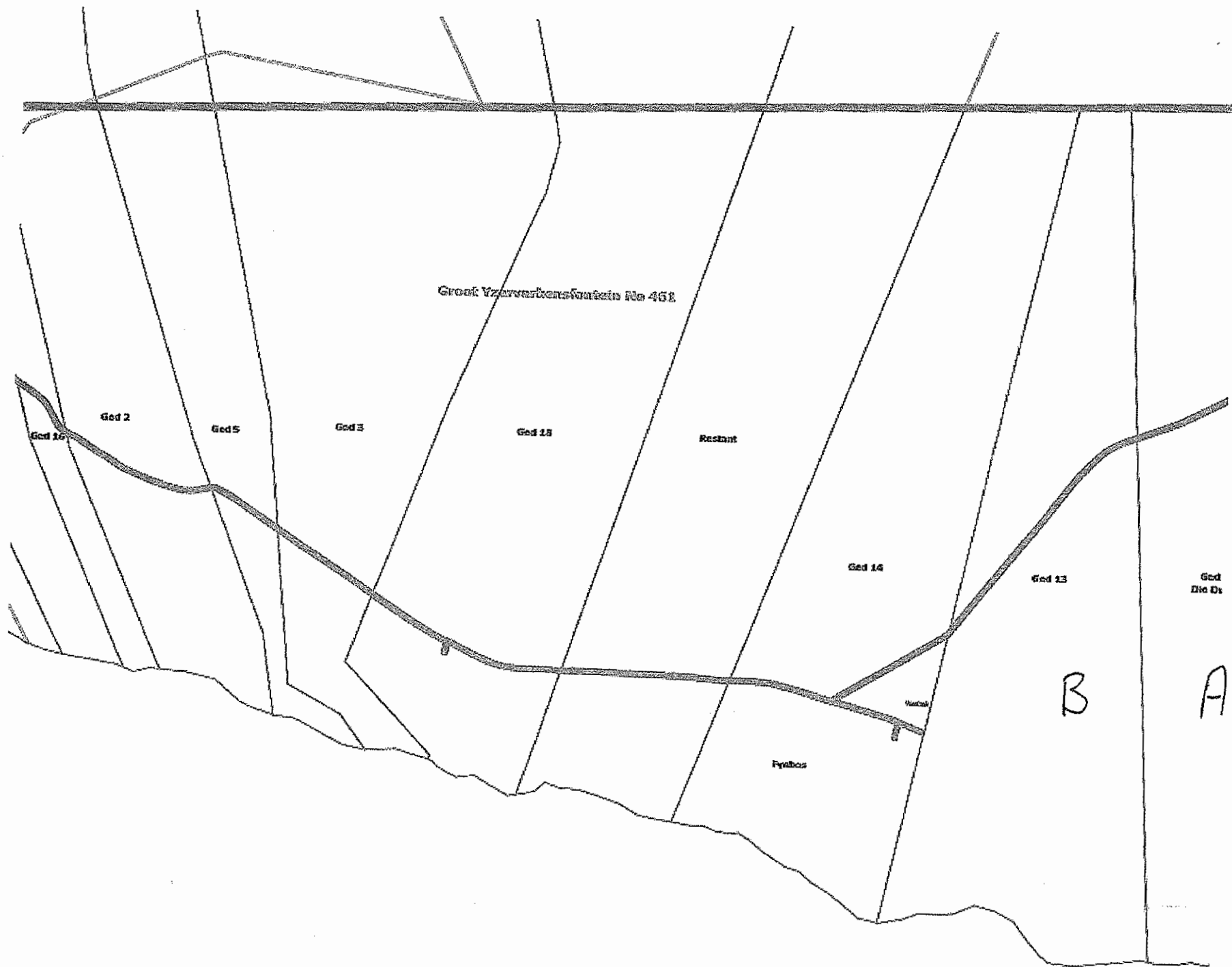
Na aanleiding van die vergadering gehou op 6 September 2019 te Albertinia voeg ek die volgende feite/inligting/kommentaar by.

8. Waar begin en eindig 'n individu/grondeienaar se **PRIVAATREG**. Daar is immers vir ons stawende dokumente dat die grond in privaatbesit is. Waar begin en eindig die individu/grondeienaar se **PRIVAATHEID** op sy eie grond?
9. Daar is onder ons familie 'n gevoel/belewing van toenemende onveiligheid wanneer hengelaars van dagbreek tot sonder willens en wetens ver bo die hoogwatermerk tussen ons geboue en oor die grasperk beweeg asof dit openbare terrein is. Dit is tog verregaande en iets wat nooit in dorpe/stede se residensiële areas toegelaat sal word nie – dit is immers 'n geval van onregmatige betreding.
10. In die drooggeteisterde Suid-Kaap is brande aan die orde van die dag. Met onbeheerde toegang tot die kus op en oor privaateiendom word die kans van brande aansienlik verhoog. Wat verhoed die besoeker/hengelaar om sy "reg om te braai" uit te oefen terwyl hy nie die gevolge van 'n brand hoef te dra nie. Dus word die eienaar aan so 'n risiko blootgestel wat ernstige finansiële implikasies tot gevolg kan hê. Neem asb kennis van inskrywings op sosiale platforms waar persone sekere "goeie visvangplekke" uitwys en dan ook noem dat daar by die huise voldoende braaigeriewe en braaihout beskikbaar is.
11. Vrye toegang tot die kus en voldoende vullisverwydering en ablusie gaan hand aan hand. Hoewel die grondeienaar heffing vir vullisverwydering aan die Hessequa Munisipaliteit betaal, word hierdie diens glad nie gelewer nie. Ons het reeds ons hande vol om die kus skoon te hou van allerlei rommel en word sakke vol gereeld deur onself weggery. Ek kan my net 'n groter gemors voorstel wanneer onbeheerde toegang tot die kus 'n moontlikheid word – op sy beste blyk die mens maar 'n morsige spesie te wees. Meer onlangs het ons gevind dat ongewenste besoekers op die grasperk ontlaas het – 'n totaal onaanvaarbare praktyk! Dit gee 'n aanduiding van die mentaliteit van sekere mense.
12. Met onbeheerde toegang tot die kus, en veral tot meer afgeleë areas langs hierdie kus, kan die moontlikheid van stroping tog nie geïgnoreer word nie - aas, skulpdiere, vis. Koerant- en TV-berigte wys immers gereeld tot watter mate stroping wel plaasvind.
13. Wanneer daar ligtelik/geredelik gepraat word van 'n sg "behoefte" aan toegang tot die kus, is dit belangrik dat hierdie "behoefte" omskryf en gekwantifiseer moet word. Die staat/owerheid kan tog nie elke "behoefte" aan toegang tot die kus ten koste en tot nadeel/ongerief van die grondeienaar eerbiedig nie. Is daar nie reeds voldoende toegang tot die kus nie? Wil die staat/owerheid bykomend nog toegangsroetes skep en onderhou?

14. Ons is van mening dat die historiese toegang tot die see asook rooilyndata reeds gesaghebbend deur die Landmeter-Generaal aangespreek en beantwoord is.

U aandag word waardeer.

F Tallie
(Nms Middelpunt Trust)

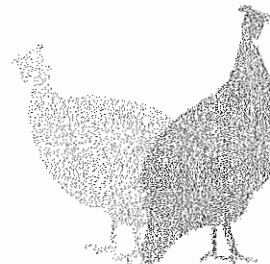


Appendix 2 cc: email from J Groenewald dated 30 Sept 2019

Erik Botha

From: Joh Groenewald <johgroen@mweb.co.za>
Sent: Monday, September 30, 2019 8:12 AM
To: Erik Botha
Subject: Gouritsmond-kus, Hessequa

GOURIQUA-BEWAREA Conservancy



Sekretaris: Joh Groenewald, Posbus 4007, George-Oos 6539, johgroen@mweb.co.za

Mnr Erik Botha
Vishoek

30 September 2019

Geagte mnr Botha

Toegang tot die kus : Hessequa, Gourits-kus

Ons verwys na die ondersoek wat u namens die Wes-Kaapse regering doen.

Die kusstrook wes van Gouritsmond het 'n ongelukkige geskiedenis van betreding en skade aan hekke, heinings en ander eiendom, spesifiek weens die nabyheid van distrikspad 1522.

Al die eiendomme langs die kus is in private besit en bied geen historiese of huidige ope, publieke toegang tot die see nie. Byvoorbeeld, die eiendom Seeland is sedert 1947 in die besit van een familie, wat ook die kuslangse tradisie handhaaf dat hengelaars en besoekers by geleentheid op uitnodiging of versoek vergunning kan kry om oor private eiendom see-toe te gaan.

Op minstens twee plekke grens die pad direk aan die see en op sulke plekke kan die publiek natuurlik van die pad af die getysone betree.

Wat wel gebeur om die openbare aandrang op kustoegang die hoof te bied, is dat een van ons lede 2 km kusstrook van sy eiendom, direk langs Gouritsmond, aan die Hessequa-munisipaliteit geskenk het vir ope toegang. Die munisipaliteit het in 2013 'n bestuursplan vir die terrein laat doen – wat daarvan word, weet ons nie. Wel word in die hoogsomer enkele tydelike staantoilette oor die afstand verskaf.

'n Ander eienaar, by Eco Lodge, het op drie plekke toegange vir die publiek gemaak om self by die see te kom. Uiteraard is hierdie toegang op beperkte kolle, om nie die res van die eiendom op risiko te plaas nie.

Bewerings dat die ganse Gourits-kus "oop" is, is eenvoudig ongegrond.

Die uwe
J Groenewald
sekretaris, Gouriqua-bewarea
Afskrif: Voorsitter, komitee en lede

Erik Botha

From: Joh Groenewald <johgroen@mweb.co.za>
Sent: Saturday, September 14, 2019 1:39 PM
To: Erik Botha
Cc: hauyoon@afrikom.co.za
Subject: Ondersoek na openbare toegang tot die kus

Groot Ystervarkfontein No 461, gedeelte 5 (Groenkant Private Natuureservaat) Afdeling Riversdal (kusgebied besuide Albertinia)

Hierdie eiendom het in meer as 'n eeu nooit openbare toegang tot die kus aan enigeen gebied nie.

Die eiendom was van 1913 tot 1988 in die besit van die Louwrens-familie (drie geslagte). Die oudste lid van die derde geslag, Niklaas Louwrens, wat in 1917 gebore is, het in 1992 by die optekening van die familiegeskiedenis bevestig dat ander familie met vakansietye en vriende soms op uitnodiging wel toegelaat is om die kus te besoek. Dit was egter nie algemene gebruik nie.

'n Paarlse boer wat periodiek met toestemming alhier visgevang het, Jannie Malherbe, het in 1972 vir himself 'n slaaphut op die rand bokant die see opgerig. Die hut staan nog. Malherbe het in ruil gereeld die Louwrense van vis voorsien, en ook rasegte skape vir hul boerdery geskenk.

In die jare 1988 tot 2000 het die eienaars soms mense by die see teëgekomp wat teen betaling bokant die Bloukrans gekamp of as dagbetalers gekuier het. Die mense was bekend aan die tersake grondeienaar.

Van die mense se houding (en optrede) was dat die owerheid se kusreëls oor skulpvis ens. nie vir hulle geld nie want hulle kom net partykeer see-toe, en Groenkant se eienaars het dikwels beledigings ervaar wanneer hulle die amptelike kuspamflette uitdeel.

Die tersake eiendom het in 2000 nuwe eienaars gekry.

Oos van Groenkant is Gedeelte 3, Groot Ystervarkfontein, wat geregistreer is in die naam van die Johnny Horn Trust. Hierdie eiendom grens nie aan die see nie dog het op 'n plek 'n grens met Groenkant, parallel met die see. Dit blyk dat mnr Horn in die verlede soms vir mense verlof gegee het om oor sy grond na die see te gaan, hetsy as 'n guns of teen betaling.

Dit was onregmatig - mnr Horn kan nie mense toestemming gee om die grens van die private natuureservaat oor te steek nie, en hy is formeel daarop gewys.

Aangesien die Horn-eiendom nie 'n grensdraad langs die distrikspad 1528 het nie, en daar 'n spoorpaadjie in die rigting van die see is, gebeur dit wel dat mense hier afry sonder dat mnr Horn daarvan weet en dan oortree op sowel die Horn-eiendom as oor die grens van Groenkant.

Dit verteenwoordig geen openlike, openbare toegang nie.

Groenkant het terloops duidelike kennisgewings wat die grens aandui.

In 2009 het 'n persoon wat eiendom in die binneland besit, mnr Kosie Sauerman, beweer hy het 'n serwituut om op Groenkant by die see te kom, en hy het by minstens twee geleenthede die hek van die natuureservaat oopgebreek. Daar is egter geen so 'n serwituut nie.

Dit het uitgeloop op 'n hofsak waartydens nog 'n aanspraak op kustoegang gemaak is. Die bykomende aanspraak is deur die hof verwerp, met koste, waarna mnr Sauerman en sy prokureur die serwituut-aanspraak gestaak en die saak ge-abandoneer het, weer met koste. Verwys hofsak 17377/2009.

Groenkant laat wel sekere vriende, familie en bewaringsgroepe toe om alhier te ontspan, per afspraak, en sonder betaling.

Joh Groenewald en Muriel Hau-Yoon
Direkteure, Groenkant Natuureservaat (Edms) Bpk 14 September 2019

Erik Botha

From: Joh Groenewald <johgroen@mweb.co.za>
Sent: Wednesday, March 27, 2019 1:10 PM
To: Erik Botha
Subject: FW: Toegang tot kus, Hessequa-gebied

From: Joh Groenewald <johgroen@mweb.co.za>
Sent: 27 March 2019 01:01 PM
To: 'erik@erikbotha.co.za' <erik@erikbotha.co.za>
Subject: Toegang tot kus, Hessequa-gebied

Beste mnr Botha

Goeie wense vir jou werk met die ondersoek na toegang tot die kus in die Hessequa-gebied. Belanghebbers by die kusgebied besuide Albertinia was nogal omgekrap oor die vorige proses. 'n Mens het die indruk gekry dat 'n opdrag om te kyk na toegang, bygelap is tot 'n ander bestaande opdrag, en dat die konsultante nie veel energie (= geld) hiervoor gehad het nie. Daardie "opname:" of "oudit" is gekenmerk deur die gebrek aan navorsing op die grond. Hieronder is van die vorige korrespondensie – ons weet nie of dit alles tot jou beskikking gestel is nie.

Ons werk graag saam en sal behulpsaam wees met verwysing na bronne en kontak met mense wat die gebied sedert jare ken.

Ek woon deels in George en deels op Ystervarkfontein, skakel gerus - 044 871 5671 of 081 577 2651 johgroen@mweb.co.za .

Vriendelike groete

Joh Groenewald

sekretaris

Afskrif: Voorsittter en komitee

Ystervarkfontein-bewarea

From: Joh Groenewald <johgroen@mweb.co.za>
Sent: 22 November 2017 09:11 AM
To: 'Rafeeqah Alexander' <rafeeqah.alexander@rhdhv.com>
Cc: 'leptieshaam.Bekko@westerncape.gov.za' <leptieshaam.Bekko@westerncape.gov.za>; 'Danie Swanepoel' <Danie.Swanepoel@westerncape.gov.za>
Subject: Toegang tot kus, Eden-distrik

Mev Rafeeqah Alexander
Royal HaskoningDHV

“Historiese toegang tot die kus”

Verwys u dokument “Audit of coastal access for the Eden District”.

In die gebied van die Ystervarkfontein-bewarea identifiseer u dokument “historical access where access is no longer permitted” by

Gourikwa-natuurreservaat

Ystervarkfontein

Bloukrans .. “en ander bekende visvangplekke tussen Stilbaai en

Gouritsmond”.

In werklikheid was daar geen algemene openbare toegang tot enige van hierdie plekke nie. U bevinding is onjuis.

U bevinding is gebaseer op 'n eienaardige dokument van mnr Boy van Rensburg, wat in u "oudit" se bylaag aangehaal word.

Ons het u vooraf gewaarsku oor 'n veldtog van 'n party wat die kusgebied wil destabiliseer – kyk my e-pos van 28 Junie 2017 (hieronder).

Byvoorbeeld, mnr Boy van Rensburg skryf op 18 Augustus 2017 aan u hy wil "reopening of the public road crossing Gourikwa Nature Reserve" hê. Die pad bestaan nie en was in 1985 gedeproklameer. Mnr Boy van Rensburg het op 2 Januarie 2016 aan die Wes-Kaapse Provinsie geskryf dat hierdie pad gesluit moet bly, en die provinsie het bevestig dat die pad nie bestaan nie – verwysing TPW16/8/4-11R.

U het self geen navorsing oor bewerings van "toegang" gedoen nie.

Ons verwerp u "oudit" as onbetroubaar en 'n ondiens aan die Wes-Kaapse Provinsie.

Ons werk graag met die Wes-Kaapse departement van omgewingsake en ontwikkelingsbeplanning saam vir die goeie orde en die ekologies sinvolle behoud van die kuslyn, wat die departement in 'n studie van 1988 as "redelik ongeskonde" bevind het.

J Groenewald
sekretaris, Ystervarkfontein-bewarea

From: Joh Groenewald <johgroen@mweb.co.za>
Sent: 28 June 2017 09:00 PM
To: 'Rafeeqah Alexander'
Subject: RE: Coastal Viewer - Eden Coastal Management Lines

Baie dankie mev Alexander.

Ek wil graag verwys na 'n ander saak wat by die vergaderings op Stilbaai en Gouritsmond geopper is, naamlik "kustoeegang".

Daar is vier private mense in Albertinia wat 'n veldtog voer oor "kustoeegang". Een het beweer hy het 'n serwituut see-toe oor 'n private natuurreservaat (Groenkant) en na allerlei katspronge is die hofkoste deur een of meer van die ander betaal.

Deel van die veldtog is allerlei aansprake op toegang, en halwe waarhede. Hulle gebruik ander mense soos die 'Khoisan-konings' van Hessequa om sulke aansprake te staaf (C Times). Hulle het Frans Pieterse (wat by u vergadering op Gouritsmond gepraat het) laat poseer vir 'n foto in die Sunday Times waar hy op private eiendom oortree dog waar voorgegee word hy is 'n slagoffer van 'n verbod op die kus.

Deel van die veldtog is verdagmakery. Een van die veldtogmense het die Landmeter-generaal by die Openbare Beskermer verkla, al sou die Landmeter-generaal nie sy werk doen nie.

Mev Alexander, gevolglik wil ek voorstel dat u omsigtig te werk gaan met enige bewerings, aantygings of aansprake oor kustoeegang wat u sou ontvang. Wat saak maak, is die toets van waarheid, en daar is genoegsaam getuienis by mense aan die kus en in die dorpe om die waarheid te kan bepaal.

Goeie wense vir u werksaamhede -

Joh Groenewald
Groenkant Private Natuurreservaat
Groot Ystervarkfontein, Albertinia



Virus-free. www.avast.com

Appendix 2 dd: email from J Cronje dated 18 Sept 2019

Erik Botha

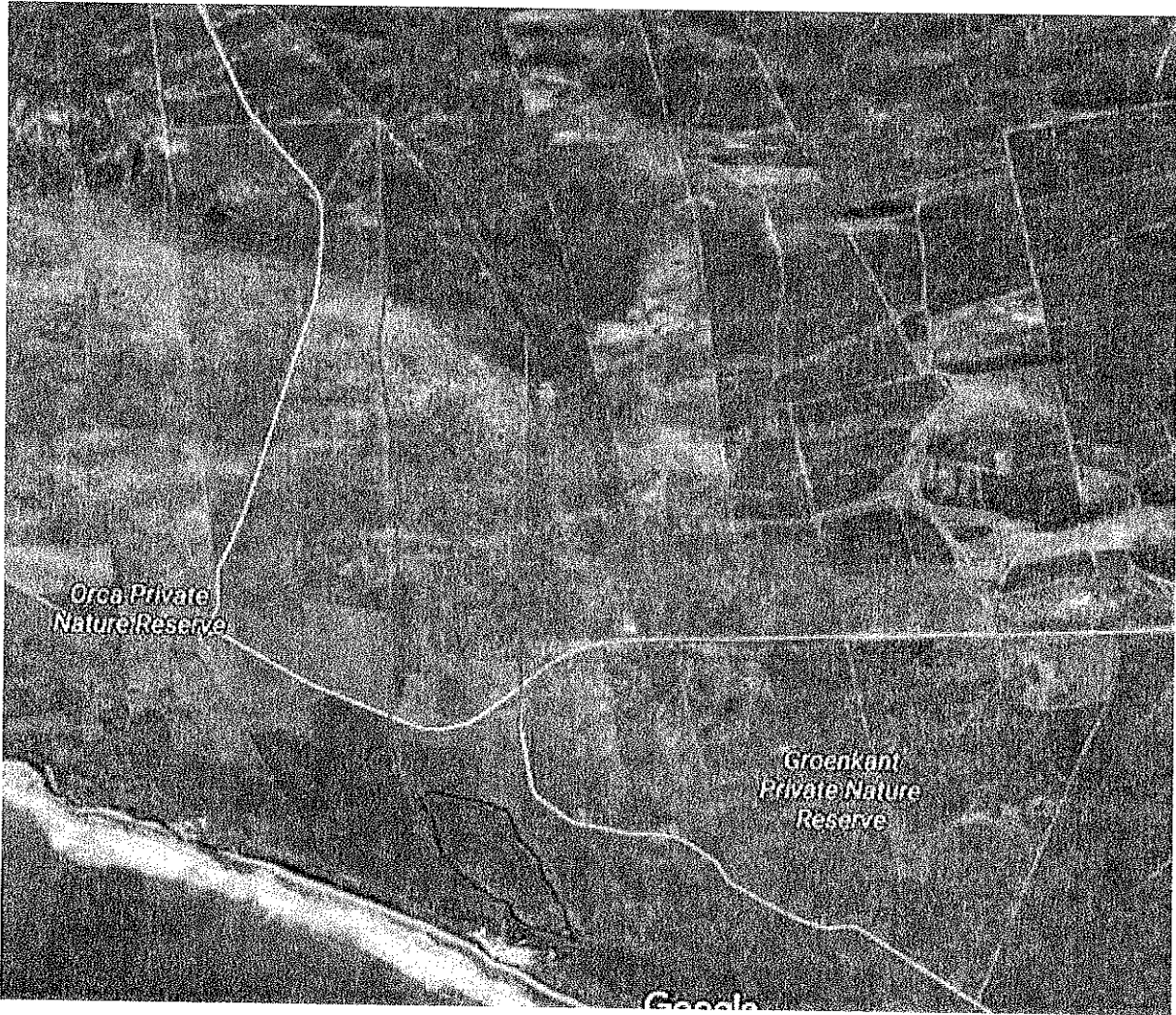
From: Johan Cronje (SPF) <johan.cronje@sanlam.co.za>
Sent: Wednesday, September 18, 2019 4:41 PM
To: Erik Botha
Cc: Roelf E. Jacobs; hauyoon@afrikom.co.za
Subject: Garden Route Coastal Access Audit: Stakeholder Engagement Process

Access route Stil21.

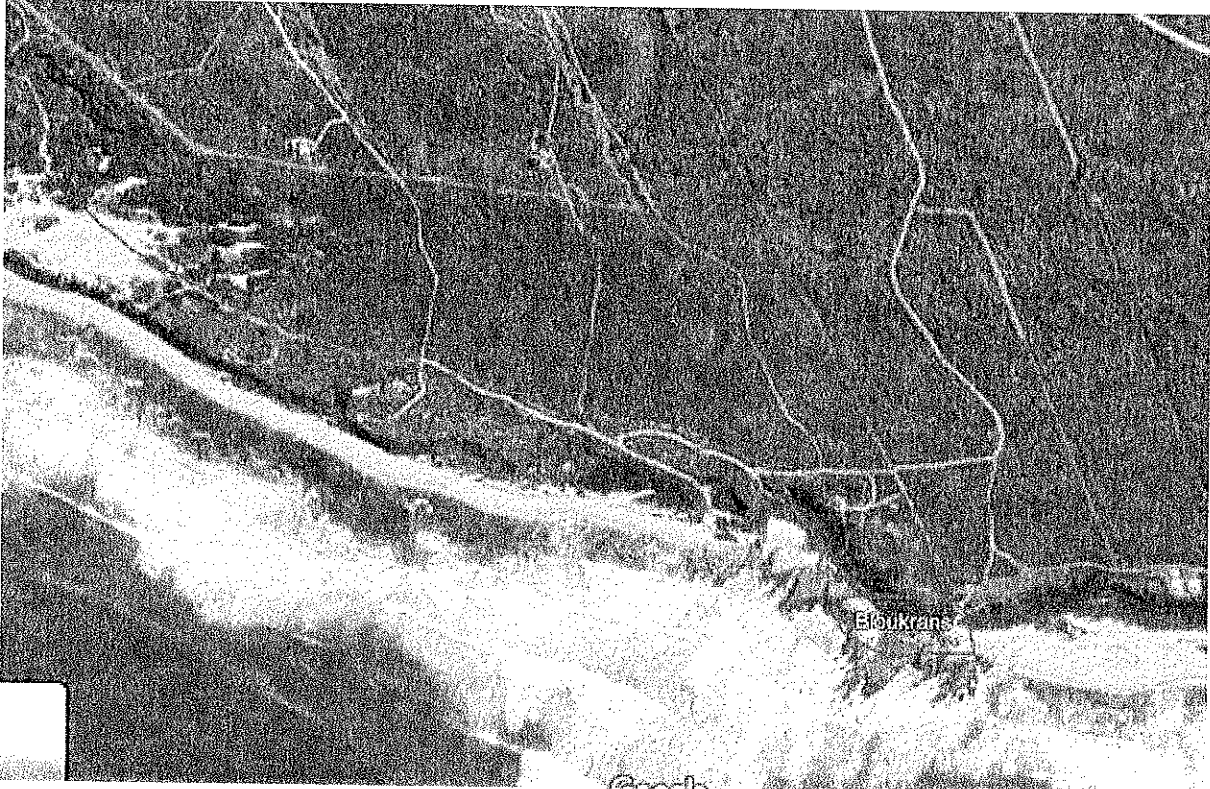
My name is Johan Cronje (ID7009065301081). My father was Daniel Christian Cronje (ID3805095026083) deceased in 2011. I am currently still a shareholder in De Rust (469).

- My farther bought the farm as indicated in red below in picture 1 in 1978 along with a 15% share in De Rust 469. I remember this because I went with my farther as an 8 year old to George to buy it from the previous owner.
My farther kept cattle on the southern side of the provincial gravel road. Once in 1986 the cattle broke through the fence on the southernmost end onto De Rust (469). This allowed the cattle access to the beach which would give them free range to travel along the beach to any location. I personally as a 16 year old had to walk down to the beach through the busses to try and find the cattle since there were no vehicle access roads then. In the late 1980's my farther created the first access road to the beach over the piece of farm indicated in blue below. This was however only a private road that was never for use by the public. In the mid 1990's this piece of land indicated in blue was subdivided and sold to another person and again sold to a new owner in the early 2000's which still owns it today. **I can therefor state for a fact that public access was never available as indicated via the Stil21 route** and I do not know who gave this information, but it is factually incorrect.
- Another comment is that Stil21 is supposed to give the public access to Bloukrans, but the access point indicated by the arrow for Stil21 is about 2 to 3 kilometres West of Bloukrans. Refer picture 2. The public will have to travel across and environment sensitive dune to get to Bloukrans. If public access must be granted to Bloukrans, there are existing roads that leads directly there over adjacent farms.
- The last point I would like to raise is that poaching of marine resources in the Southern Cape will escalate to the same level as it is in Western Cape areas where the public got access to beaches. I have already observed recently in December 2018 that poachers were operating there with a rubber duck from Still bay with full diving gear collecting abalone. Since the rest of the Western Cape is already stripped, public access as is proposed, will basically give the poachers new hunting grounds.

Picture 1



Picture 2



Thank you for the opportunity to provide inputs.
Regards

T +27 21 947 1462 F +27 21 957 1886 C +27 84 603 6010
joan.cronje@sanlam.co.za

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<http://www.sanlam.co.za/email-terms-of-use>

Appendix 2 ee: email from J Van Rensburg dated 8 Sept 2019

Erik Botha

From: Johan van Rensburg <premiermsb@gmail.com>
Sent: Sunday, September 08, 2019 3:30 PM
To: Erik Botha
Subject: OPENBARE SKAKELING; EDEN KUSTOEGANG OUDIT
Attachments: OPENBARE SKAKELING.docx

Beste Erik

Aangeheg is n skrywe na aanleiding van die publieke deelname proses gehou te Mosselbaai en Albertinia.

Dankie

Johan van Rensburg

OPENBARE SKAKELING: EDEN KUSTOEGANG OUDIT

Baie dankie dat u vir ons as belanghebbendes die geleentheid bied om inligting en feite aan u beskikbaar te stel ten einde n effektiewe resultaat te bereik. Ons skrywe verwys spesifiek na u geografiese verwysings Still 21 , 22 en 23.

Ons verwys na die stelling dat daar tekens is van n "historiese" pad na Bloukrans.

Ek is in 1950 te Albertinia gebore en besoek die Bloukrans area sedert 1955. Die plaas wat toegang bied tot die stukkie kusgebied het behoort aan mnr Willie Oosthuizen wat later oorlede is en die eiendom toe vererf is na sy seun Tienie Oosthuizen wie die eiendom later verkoop het aan die huidige eienaars. Die Oosthuizens was baie goed aan ons familie bekend en hulle het altyd toestemming verleen om oor hul privaat eiendom die kusterrein te besoek . Nooit in daardie tydperk was daar vrye publieke toegang tot die Bloukrans area oor die plaas nie. Die eienaars het toestemming verleen aan persone wat hulle geken het en indien hulle daarvan seker was dat diegene nie die ekologie sou beskadig nie. Die toegangspad wat n tweespoor sandpaadjie was het oor die werf langs die opstal geloop sodat die eienaars kon weet wie daardie gebied betree. Indien enigiemand beweer dat hy/sy daarlangs vrylike toegang geneem het is dit onwaar en was dit betreding.

Soos reeds genome is dit n tweespoor sandpad wat vroeer deur ossewaens gebruik was. Die pad het onbegaanbaar geraak as gevolg van die sandoppervlakte en ek , my broer F van Rensburg en my neef Hennie van Zyl het voor 1965 die pad se sykante oopgekap en klippe in die spore gegooi sodat n bakkie daar kon loop. Ek kan met oortuiging se dat daar sedert 1900 nooit toegang sonder toestemming was nie. Inteendeel daar was geen vrylike toegang sonder toestemming oor enige privaat grond tussen Gouritsmond en Driefontein area nie.

Die publiek het egter sindikate gevorm en aandeelblok skemas gevorm om privaat eiendom langs die kus te bekom. Dieselfde metode is gevolg soos wat Vleesbaai inwoners gedoen het om hul privaatheid en sekuriteit te beskerm.

Melding word gemaak dat hierdie gebied n baie lang kuslyn is wat as gevolg van privaat eiendomsreg ontoeganklik is vir die publiek. Hierna verwys ons graag na die boek van Eben Schoeman – Seehengel in Suid-Kaap. Die boek is geskryf ongeveer 1978 en op daardie stadium was die skrywer ongeveer 70 jaar oud wat beteken dit dek ook die tydperk vanaf 1900. Mnr Schoeman was n welbekende hengelaar en was byna elke dag langs die Gouritskus. Hy verwys na die gebied wes vanaf die dorp Gouritzmond tot by Die vywers as n strook van 16 kilometer waar daar vrye toegang tot die see is, met die beste visvangplekke in Suid Afrika, waar hengelaars per pad tot teenaan die see toegang het, sonder om toestemming te vra !!!!

Hy skryf

"n Klein entjie anderkant die vuurtoring draai die pad weg van die see. Ongelukkig of sal ek se gelukkig, is al die hengellekke tot by Driefontein op of oor privaat eiendom. By meeste plekke daar kan wel toestemming verkry word om te gaan hengel. Die broers Lourens se plaas Ystervarkfontein waar daar toestemming teen betaling verkry kan word is ongeveer 9 km vanaf die vywers" Is dit so n lang kusstrook? Hy skryf verder " Alhoewel daar n privaatpad na Bloukrans is(Die pad waarna hierintevore verwys is), kan dit ewe maklik bereik word as jy by die broers Lourens afgaan." Hy skryf verder oor Driefontein sowat 16 km vanaf die vywers "Al die hengellekke in die omgewing van Driefontein is oor of op privaat eiendomme, en moet daar dus toestemming verkry word om daar te gaan hengel". Daar is dus dieselfde afstand toeganglike kusgebied as wat daar privaat areas is. Enige toegang wat oor privaat eiendom toegewys mag word sal ten sterkste teengestaan word.

Skade aan die Omgewing

Die gebied Stilbaai 21, 22, en 23 is n broeiarea van die swart tobie wat op die gevaarlys van uitwissing is. Hengelaars bring gewoonlik hul honde saam see toe en is dit in n hond se gene om alles te jag wat beweeg. Hulle verwilder die broeivoels en byt die kuikens dood.

Ongelukkig is die kusstrook waar vrylike toegang is se klippe gestroop deur hengelaars van klipkouse, mossels, alikruk en ander seelewe. Die gebied waar daar privaat eienaars is word die area bewaar in sover hulle kan om die see kans te bied om te herstel. Baie goeie resultate is sigbaar by Gourikwa waar dit ongeveer 15 jaar geneem het om te herstel van stropery.

Omdat die gebied baie afgelee is kan wetstoepassing nie maklik toegepas word nie.

Eben Schoeman skryf ook in sy boek dat grondeienaars baie skade ly deurdat hengelaars hul wild jag.

Vrye toegang oor privaat eiendom sal neerkom op dieselfde beginsel as onteiening sonder vergoeding. Vrye toegang sal die eienaars uitlewer aan misdad elemente en plaasmoordenaars wat dan vrye toegang tot hul privaetheid het.

Skrywer is ook n aandeelhouer in Fynbosstrand Aandeleblok skema maatskappy, welke maatskappy die eenaar is van n stuk kuseiendom geleë binne die area Still 21. Alle wetlike vereistes en goedkeurings is destyds bekom om die eiendom te ontwikkel. Daar was geen vereistes dat publieke toegang tot die kusgebied benodig word nie.

Ons pleidooi is dat die Weskaap Regering en die Departement van Omgewingsake en Ontwikkelingsbeplanning die eiendomsreg en die privaatheidsreg, die veiligheid en sekuriteit van die grondeienaars sal respekteer en eerbiedig deur nie vrye toegang aan die publiek te verskaf nie, op welke magte hulle mag beskik. Ons doen n beroep op die owerhede om die grondeienaars te help en te ondersteun om die kusgebied te bewaar en om ons sensitiewe planet te beskerm.

Baie dankie vir u begrip

P J JANSE VAN RENSBURG

NAMENS FYNBOSSTRAND AANDELEBLOK SKEMA MAATSKAPPY EDMS BEPERK.

Appendix 2 ff: email from K Sauermaun dated 15 Oct 2019

Erik Botha

From: Kosie Sauerman <island@hilbert.co.za>
Sent: Tuesday, October 15, 2019 6:45 PM
To: Erik Botha
Cc: 'Boy van Rensburg'
Subject: FW: Kustoeegang - opdatering 1 - Stilbaai tot Gourismond langs die kus
Attachments: Toegang Stilbaai tot Gouritsmond.doc; Bywoning Kustoeegang Sept 2019.pdf

Erik,

Hiermee die insette van die publiek rakende kustoeegang tussen Gouritsmond en Stilbaai.

Ons hoop van harte dat daar na dese uitvoering verleen sal word aan ICM wetgewing.

Indien ons van enige verdere hulp kan wees, voel gerus vry om met ons te kontak.

Groete

Kosie

From: Aloe Motors2 [mailto:aloemotors2@gmail.com]
Sent: 15 October 2019 05:23 PM
To: 'Kosie Sauerman' <island@hilbert.co.za>; ejpbouwer@gmail.com
Cc: marzena@telkomsa.net; 'Gerhard Janse van Rensburg' <jgjavrensburg@gmail.com>
Subject: Kustoeegang - opdatering 1 - Stilbaai tot Gourismond langs die kus

Kosie,

Hier is die opgedateerde inset vir mnr. Erik Botha aangeheg as TOEGANG STILBAAI TOT GOURITSMOND. Die bywoningsregister van ons vergadering is ook aangeheg.

Stuur asb die inhoud aan die betrokkenes.

Dankie en groete,

Boy



ENGEN

Aloe Motors

Albertinia Diensstasie BK

BK No. 2002/055194/23

BTW No. 4960 211 987

H/A Aloe Motors

Stasiestraat 31

ALBERTINIA

6695

GPS: S34°12,721 E21°35,079

Tel. 028 735 1123
Faks. 028 735 2899
Sel. 083 6042 108 (Boy)
e-Pos. aloemotors@telkomsa.net

From: Kosie Sauerman [<mailto:island@hilbert.co.za>]
Sent: 15 October 2019 09:46 AM
To: 'Boy van Rensburg'
Subject: Kustoegang

More Boy,

Ek het net die woord ongetransporteerd ingevoeg(2e par onder agtergrond hoof)..

Kyk of jy saamstem en stuur dan aan.

Groete

NOTULE VAN VERGADERING – PUBLIEKE TOEGANG TOT DIE KUS TUSSEN GOURITSMOND EN STILBAAI

DATUM 23 September 2019
 PLEK Aalwynstraat 2, Albertinia, 6695
 TYD 19H00

TEENWOORDIG:

Sien Aanhangsel A - Bywoningsregister van vergadering gehou op 23 September 2019

Die groep wat vanaand teenwoordig is, bestaan hoofsaaklik uit hengelaars van Albertinia en Riversdal, eienaars van kusplase (en plase aangrensend aan plase wat aan die kus grens) wat onlangs hul historiese toegangsroetes na die kus verloor het, asook verteenwoordigers van verskeie ander plaaslike organisasies.

DOEL:

- Om die historiese toegangsroetes tot die kus vanaf Gouritsmond tot Stilbaai langs Hessequa Munisipaliteit se kusgebied te bevestig,
- om ook spesifiek aan te dui waar toegang in die toekoms benodig word,
- om ook die aard van toegang wat verlang word te spesifiseer,
- en te motiveer waarom die spesifieke toegangsroetes aangewys word vir toekomstige publieke toegang.

AGTERGROND:

Kosie Sauerman gee die agtergrond van die vergadering. Hy verduidelik die agtergrond t.o.v. die publieke konsultasieproses (van 6 September 2019 te Albertinia) wat vanaand se vergadering voorafgegaan het. Insette uit die gemeenskap t.o.v. toegang na die kus moet voor einde September 2019 aangestuur word na die konsultante. Verskeie hengelaars en belanghebbendes bespreek kortliks die agtergrond oor die dringende behoefte aan kustoegang langs die betrokke kusstrook tussen Gouritsmond en Stilbaai.

Inligting wat wel in die landmeter-generaal se argiewe is, bevestig die historiese konteks soos dit op die moederkaarte aangedui is. Die doel van opmetings is om die land te karteer volgens die bedoeling van die oorspronklike opmetings. By Ystervarkfontein was die doel van die opmetings om toegang na twee fonteine te verleen aan inwoners en die vee van plase wat oor 20 000 morges grond sonder enige ander waterbronne gestrek het. Daar was destyds ook lang afstande kusgrond (ongetransporteerd) wat direk aan die hoogwatermerk gegrens het en wat voorsiening gemaak het vir vry beweging van mense en diere oor staatsgrond langs die kus na waterbronne en kosbronne.

Tot baie onlangs is al ondergenoemde roetes in die tabel, of versameling van roetes, deur hengelaars en voetslaners gebruik sonder enige belemmering. Die situasie het gedurende die afgelope twee tot drie dekades verander namate nuwe privateienaars grond gekoop het en die orde van die dag, soos dit oor meer as 'n eeu ontwikkel en gevestig is,

omvergewerp het en ontwrig het. Die selfsugtige en opportunistiese optrede van hierdie eienaars het ontwrigting van 'n ekstreme aard veroorsaak in die kusstreek tussen Gouritsmond en Stilbaai. Verskeie hofsake tussen belanghebbendes is getuieis hiervan.

Die Wes-Kaapse Landmeter-Generaal ontken tans dat daar ooit 'n strook grond in staatsbesit was tussen die hoogwatermerk van die kus en die suidelike grense van kusplase. Hierdie standpunt is direk in stryd met die inligting soos aangedui op oorspronklike moederkaarte. Talle kundiges van verskillende dissiplines het wel die bestaan van hierdie strook staatsgrond bevestig. Gedurende die era waartydens die bestaan van hierdie staatsgrond gerespekteer is, was daar daar weinig konflik, en daar was ook geen teenstrydighede in titelaktes soos tans die geval is nie.

HISTORIESE TOEGANGSPLEKKE VANAF GOURIQUA SE OOSTELIKE GRENS TOT BY STILBAAI

| | POSISIES VAN TOEGANG TUSSEN STILBAAI OOS EN GOURITSMOND | AARD VAN HISTORIESE TOEGANG | TOEGANG VERLANG VIR DIE TOEKOMS*** |
|---|---|--|--|
| 1 | Die hele kus van die Gouriqua se oosgrens tot by die Lighuis (Gedeelte 15 van die plaas Buffelshoek 455) | Die oorspronklike grondpad langs die kus wat Stilbaai en Gouritsmond verbind het, het oor Gedeelte 15 van Plaas 455, Buffelshoek gestrek, en het onbelemmerde voertuigtoegang en tevoet toegang verleen na die kus vanaf die Lighuis tot by die oosgrens van die Gouriqua (Kernkor) Natuurreservaat. | Voertuigtoegang verlang: Die voorstel is dat die oorspronklike grondpad van Stilbaai na Gouritsmond langs die kus, wat baie naby die kus verby geloop het, weer oopgestel word. (Hierdie pad is oorspronklik gesluit vir doeleindes van die Atoom Energie Korporasie (AEK) - destyds 'n nasionale sleutelpunt. Die pad is nie weer oopgestel nadat die AEK onttrek het en die grond geprivatiseer is nie.) |
| 2 | Fynbosstrand (Gedeelte 14 van die plaas Groot Yzervarkensfontein No. 461.) | Toegang was met toestemming te voet en per voertuig | Voertuigtoegang verlang |
| 3 | Latere ontwikkeling van Fynbosstrand met 'n reeds gevestigde pad. (Gedeelte 14 van die plaas Groot Yzervarkensfontein No. 461.) | Voertuigtoegang | Voertuigtoegang verlang oor bestaande pad. |

| | | | |
|---|---|--|-----------------------------------|
| 4 | Jantjie Horn se plaas (Restant van die plaas 461, Groot Yzervarkensfontein). | Met toestemming – vir voertuie tot by die huis langs die kus. Voorheen het hengelaars R5 betaal vir instandhouding van die privaatpad. | |
| 5 | Jan Gabriel (Boetie) Horn se plaas (Gedeelte 3 van die plaas Groot Yzervarkensfontein, No. 461) | Met toestemming met voertuie en te voet | Voet- en voertuigtoegang verlang. |
| 6 | Gedeelte 5 van die plaas Groot Yzervarkensfontein No 461, bekend as Groenkant Natuurreservaat. | Met toestemming met voertuie | Voet- en voertuigtoegang verlang. |
| 7 | Die Sandfontein, Gedeelte 2 van die Plaas Groot Yzervarkensfontein, No. 461, ook Fredstrand genoem. Die publieke pad wat by Fredstrand eindig (Die serwitute van aanliggende plase verwys na 'n publieke pad na die Sandfontein.) | Publieke pad na die fontein | Voertuigtoegang verlang |
| 8 | Die Rusplek, Gedeelte 469, aanliggend aan die westekant van Gedeelte 10 van die plaas Groot Yzervarkensfontein, No. 461. | Toegang vir voertuie en voetslaners vir meer as 'n eeu. | Voertuigtoegang verlang |
| 9 | Oos van die Bloukrans, op Gedeelte 11 van die plaas Groot Yzervarkensfontein, No. 461, was destyds 'n publieke | Voertuigtoegang met toestemming tot bokant die hoogwatermerk. | |

| | | | |
|----|---|--|-------------------------|
| | uitspanplek en historiese vakansieplek met voertuigtoegang tot op die Hoogwatermerk | | |
| 10 | <p>Alle toegange na Rietvlei se visvuyers – 'n historiese plek vanweë die visvuyers wat voorheen 'n bron van kos was vir die hele gemeenskap vanaf Blikhuis tot Driefontein.</p> <p>Volgens Melkhoutfontein se inwoners was die kortste roete vanaf Melkhoutfontein na die visvuyers oor Gedeelte 118 van die Plaas Melkhoute Fontein, No. 480, wat aansluit by die oorspronklike pad langs die kus af, wat vanaf Preekstoel oor die Plaas Rietvlei, No. 470 loop – soos aangedui op die oorspronklike kaarte van die jaar 1835. Hierdie toegange was in gebruik tot hierdie roetes onlangs versper is met wildsheinings deur die eienaars van onderverdelings van die plaas Rietvallei, No. 470.</p> | Daar was verskeie roetes vir beide voetslaners en voertuie suidwaarts vanaf die grondpad tussen Stilbaai en Gouritsmond na die visvuyers van Rietvlei. | Voertuigtoegang verlang |
| 11 | Alle eienaars van onderverdeelde gedeeltes van die moederplaas | Voertuie en te voet. Die besetting en toe-eiening van hierdie staatsgrond het grootskaalse | Voertuigtoegang verlang |

| | | | |
|----|---|---|--|
| | <p>Rietvlei het toegang rondom die vleiland gehad via 'n sirkelroete rondom die Vlei. Die sirkelroete het ook toegang verleen tot die kus oor die Plaas Rietvlei nr. 470 en die gedeelte Admiraliteitsone wat aanvanklik uitgemeet is tussen die moederplaas en die hoogwatermerk.</p> | <p>ontwrigting veroorsaak van mede-eienaars van onderverdeelde gedeeltes van die plaas Rietvlei 470.</p> | |
| 12 | <p>Die ou Rietvleipad (die Blikhuispad; die ou Pospad) wat vanaf Gouritsmond oor die plaas Driefontein strek, oor die plaas Rietvlei, en verder langs die kus af weswaarts oor die seeduine tot naby Niekie Rust se huis waar dit verdeel het, weswaarts na die Vliegveld by Stilbaai, en suidweswaarts na die Preekstoel. Die belangrikheid van hierdie ou sandpad (Pospad) het afgeneem nadat die grondpad (gruispad) tussen Stilbaai en Gouritsmond gebou is. Gedeeltes van die pad is egter wel gebruik totdat privateienaars grensheinings (met of sonder hekke) opgerig het wat toegange en</p> | <p>Toegang vir voetgangers en voertuie het bestaan totdat die betrokke grondeienaars hul noord-suid wildsheinings opgerig het en die historiese hekke verwyder het en toegange versper het.</p> | <p>Voertuigtoegang en toegang vir voetgangers.</p> |

| | | |
|---|--|--|
| <p>deurgange versper het. Hierdie ou Pospad is egter deurlopend gebruik deur hengelaars en ongediertejagters en toeriste totdat Cape Nature die pad gesluit het, en die eienaars van die gedeeltes van die Plaas Rietvlei 470 hul grensheinings (wildsheinings van 15 drade) opgerig het. Laasgenoemde grensheinings het nie eens hekke waar die ou Pospad hierdie plase kruis nie.</p> | | |
|---|--|--|

*** Voertuigtoegang impliseer ook voetgangertoegang.

Die staat het in versuim gebly om die orde te handhaaf soos dit vasgelê is in moederkaarte en transportaktes. Die staat het in gebreke gebly om sy eiendom langs die kus te beskerm en te verdedig teen grondgrype. Gevolglik het privaat individue beheer oorgeneem oor grond wat oorspronklik aan die staat behoort het en publieke toegang tot die hele kusstrook verleen het. Hierdie nalatigheid van die staat het ontaard in 'n onhoudbare situasie.

Hierbo is 13 toegangsroetes gelys wat gereeld gebruik is as toegangsroetes na die kus. Vir doeleindes van hierdie ondersoek word vyf roetes vir voertuigtoegang voorgestel en gemotiveer.

MOTIVERING VIR TOEKOMSTIGE VOERTUIGTOEGANG VIR DIE PUBLIEK NA DIE KUS

Die plekke wat hierbo aangewys word vir voertuigtoegang na die kus, is spesifiek voorgestel met die volgende motivering:

1. Daar is bestaande (m.a.w. historiese) toegangsroetes na hierdie plekke langs die kus vir voertuie waarvan sommige tans nog in die Aktekantoor geregistreer is.
2. Waar bestaande toegangsroetes weer oopgestel word, soos by Fynbosstrand en by die Lighuis, is daar geen nuwe impakte op die ekosisteme ter sprake nie.
3. In al hierdie gevalle lei hierdie aanbevole roetes na veilige sandstrande met veilige rusareas bokant die hoogwatermerk. Hierdie veilige rusplekke is meestal weerskante begrens deur vertikale rotsformasies wat alle beweging langs die kus met hoogwater onmoontlik maak.

ONTWIKKELING VAN BESTAANDE TOERISMEPOTENSIAAL

Voorheen is hierdie roetes algemeen gebruik deur toeriste wat te voet beweeg het tussen Stilbaai en Gouritsmond. Stappers het in groot getalle gedurende vakansietye langs die kus gestap tussen Stilbaai en Gouritsmond. Hierdie aktiwiteite is nou beperk tot enkele stappers wat nou slegs op die grondpad tussen die twee dorpe kan beweeg. Indien die roetes soos hierbo voorgestel word weer oopgestel word, kan hierdie onbenutte toerismopotensiaal oornag ontgin word.

TOEGANG NA DIE KUS VIR HISTORIESE NEDERSETTINGS EN PLAASARBEIDERS

As gevolg van die feit dat huidige privaat grondeienaars historiese toegangsroetes sedert die onlangse verlede ontoeganklik gemaak het, het inwoners van historiese nedersettings soos Blikhuis en Melkhoutfontein nou ook nie meer vry toegang tot die kus soos voorheen nie. Verder het plaaswerkers wat op kusplase werk, of op plase aanliggend aan kusplase werk, nie meer toegang na die kus nie.

| <u>Naam van</u> | <u>Organisasie</u> | <u>Tel. Nr.</u> | <u>Handtekening</u> |
|--------------------------|-------------------------|-----------------|---------------------|
| Andre de Jager | Hengelaar | 0829226756 | |
| Tommie v. Rensburg | Grond eienaar. | 0726443622 | |
| P. Fouché | HENGELAAR | 0825200424 | |
| J. G. J. v. Rensburg | Grondeienaar | 0833575400 | |
| J. J. PETERSC. | G. B. H. A. | 0822917439 | |
| Dans Oel Tyn | OKERWEG | — | |
| Daniel JAMES | ELMAN'S TRAPD | 0823299836 | |
| Barbo de Jager | Hengelaar | 0798810696 | |
| PIERRE Kellies | Hengebaar. | 0847030804 | |
| HENRY Prins | Hengebaar. | — | |
| John Samsman | Hengelaar | 0829733900 | |
| ANDRÉ SAARMAN | HENGELAAR | 0762194717 | |
| Pieter Sams | HENGELAAR | 0822669321 | |
| Kosie Sauermaan | Hengelaar/Grondeienaar | 0832352148 | |
| Divan Saagman | Hengelaar | 0829206463 | |
| Boy, Jansse van Rensburg | Albertinia Sakekamer | 0836042108 | |
| Kosie Sauermaan | Afriforum | 0832352148 | |

Appendix 2 gg: email from K Sauermaun dated 26 Sept 2019

Erik Botha

From: Kosie Sauerman <island@hilbert.co.za>
Sent: Thursday, September 26, 2019 7:09 AM
To: Erik Botha
Subject: FW: Emailing - Bylae 6 - Pentz Verslag.pdf
Attachments: Bylae 6 - Pentz Verslag.pdf

Erik,

Die Pentz verslag wat die aanvanklik geskepte gedeeltes staatsgrond teen kus sowel as die admiraliteitsgronde bevestig. Tans word die bestaan daarvan ontken.

Groete

Kosie

From: Kosie Sauerman [mailto:island@hilbert.co.za]
Sent: 05 July 2017 09:17 AM
To: 'Rafeeqah Alexander' <rafeeqah.alexander@rhdhv.com>
Subject: FW: Emailing - Bylae 6 - Pentz Verslag.pdf

From: Kosie Sauerman [mailto:island@hilbert.co.za]
Sent: 05 July 2017 08:40 AM
To: 'Kosie Sauerman' <island@hilbert.co.za>
Subject: Emailing - Bylae 6 - Pentz Verslag.pdf

Hi Rafeeqah,

Attached is the Pentz Report(Admiralty reserves of the Western Cape).

Very interesting to note the land being classified as state land.Thoroughfares and waste lands as well.

According to page 12 Par 4.2 , Sector J, there is one east of Stillbay as well. The map indicates it as well as the description(Rietvallei and Ellensrust).

Does it still exist?

Erik Botha

From: Kosie Sauerman <island@hilbert.co.za>
Sent: Tuesday, April 02, 2019 6:57 AM
To: Erik Botha
Cc: barend.uys@afriforum.co.za; Evert Bouwer Snr
Subject: FW: Kontakbesonderhede van John Obree

Erik,

Nog inligting oor rooi lyn diagramme.

Groete

Kosie

From: Chris Boonzaier [<mailto:chris.boonzaier@drdlr.gov.za>]
Sent: 19 February 2016 11:02 AM
To: Kosie Sauerman (island@hilbert.co.za)
Subject: Kontakbesonderhede van John Obree

Hallo Kosie,

Indien jy 'n afspraak met Obree wil reël, kan jy 'n versoek vir 'n afspraak stuur na sgsecretarywc@drdlr.gov.za

Die Government Gazettes van die Kaap die Goeie Hoop (waarna ook in Melissa se aanbieding verwys word), is die twee rooilyn-regulasies wat verskyn het in Government Gazette No. 5888 onder Government Notice 229/1879 gedateer 28 Feb 1879 en Government Gazette No. 6680 onder Government Notice 112/1886 gedateer 11 Feb 1886. Hierdie twee regulasies is as onwettig beskou omdat dit nie deur enige voorafgaande Wet onderskryf was nie.

Groete

Chris Boonzaier
Office of the Surveyor-General: Western Cape
Tel. 021-4674800
Cell. 0828275991
chris.boonzaier@drdlr.gov.za

Appendix 2 hh: email from K Sauerman dated 2 April 2019

Erik Botha

From: Kosie Sauerman <island@hilbert.co.za>
Sent: Tuesday, April 02, 2019 6:54 AM
To: Erik Botha
Cc: barend.uys@ariforum.co.za; Evert Bouwer Snr; 'Arno Greyling'
Subject: FW: Grondbeginsel van Kadastrale Opmetings
Attachments: image1e21bd.JPG; SKMBT_C364e16051915340.pdf

Hier by ons teen die kus was die intensie om die vee water te laat drink by die fontein wat op seevlak uitborrel, aangesien dit die enigste water was, soos ook beskryf deur die landmeter.

From: Chris Boonzaier [<mailto:chris.boonzaier@drdlr.gov.za>]
Sent: Thursday, May 19, 2016 3:26 PM
To: Kosie Sauerman (island@hilbert.co.za)
Subject: Grondbeginsel van Kadastrale Opmetings

Hallo Kosie,

Soos in honderde ander skrywes, herhaal hierdie Australiese landmeter die grondbeginsels van landmeetkunde. Lyk my ons is die enigste land wat ons gatte daaraan afvee. Dit raak nou 'n skande.

Groete.
Chris Boonzaier



Together we move South Africa forward

More recently, the German cadastral authorities are establishing a standardised cadastral data system called ALKIS (Hawerk, 2006). This system is recognition that cadastral data provides a strong fundamental layer for public administration and must marry legal, technical and administrative concerns. But more than this it links existing digital cadastral data with topographic data and uses powerful GIS techniques to manage this spatial database. This capability presupposes a homogeneous geodetic and cadastral network.

From a technological perspective, the 250 station SAPOS CORS network has been in operation in Germany for some years now providing users with a number of positioning services in real-time and post processing modes at a range of accuracies. The highest precision real time service provides a network RTK solution to 1-5cm accuracy which is sufficient for cadastral surveys (ibid, 2006). Clearly German regulations are written so as to accommodate new technologies.

The Land administration system in Germany has been modernised to exploit GNSS technologies as well as advances in GIS spatial data management. The convergence of the geodetic and cadastral networks in Australia will allow similar advances – at least on a regional basis – in the future.

5. CONCLUDING REMARKS

This paper has given an overview of the evolution of the cadastral and geodetic networks in Australia. It has attempted to show how recent initiatives, such as the move to the GPS compatible Geocentric Datum of Australia, have seen the convergence of these two networks. Services such as AUSPOS have raised other questions such as how to deal with geodynamic motion, issues with distortions in the existing network and the imposition of new accuracy measures. The paper has also highlighted some of the teething problems presented by implementing GPS/GNSS techniques to well established cadastral surveying methods. State government authorities are working hard to modernise regulations to accommodate this new technology for private cadastral surveyors who in return densify and tighten the network which benefits state government spatial data infrastructures.

Despite all these changes, the fundamental goal of cadastral surveying is to mark the land as per the intention of the original surveyor. "Monuments over measurements" remains and GPS/GNSS techniques are simply another measuring tool. The professional surveyor must decide the best technique for the job. It is anticipated in Germany that the implementation of new techniques, such as integrated surveying supported by CORS networks combining GNSS and total station, will reduce the cost by approximately 25% (Hawerk, 2006). The challenge for the modern surveyor is to use this new infrastructure to provide value-added services to their clients and expand their businesses in non-traditional areas.

Appendix 2 ii: email from K Sauerman dated 2 April 2019

Erik Botha

From: Kosie Sauerman <island@hilbert.co.za>
Sent: Tuesday, April 02, 2019 6:44 AM
To: Erik Botha
Cc: barend.uys@ariform.co.za; 'Arno Greyling'; Evert Bouwer Snr; willemscheepers48@gmail.com; 'Chris Scheppel'; 'Johan Crous'
Subject: FW: Diagramme van plase langs die kus
Attachments: GIS kaart Plaas 463 Riversdal.docx; GIS kaart Plaas 462 Riversdal.docx

Erik,

Ter aansluiting by ons gesprek van gister.

Sien kaarte soos ontvang in 2014 vanuit LG kantoor.....n lekker eiendom in die see!!!

Ek wil vir my ook een daar koop.

Groete

Kosie

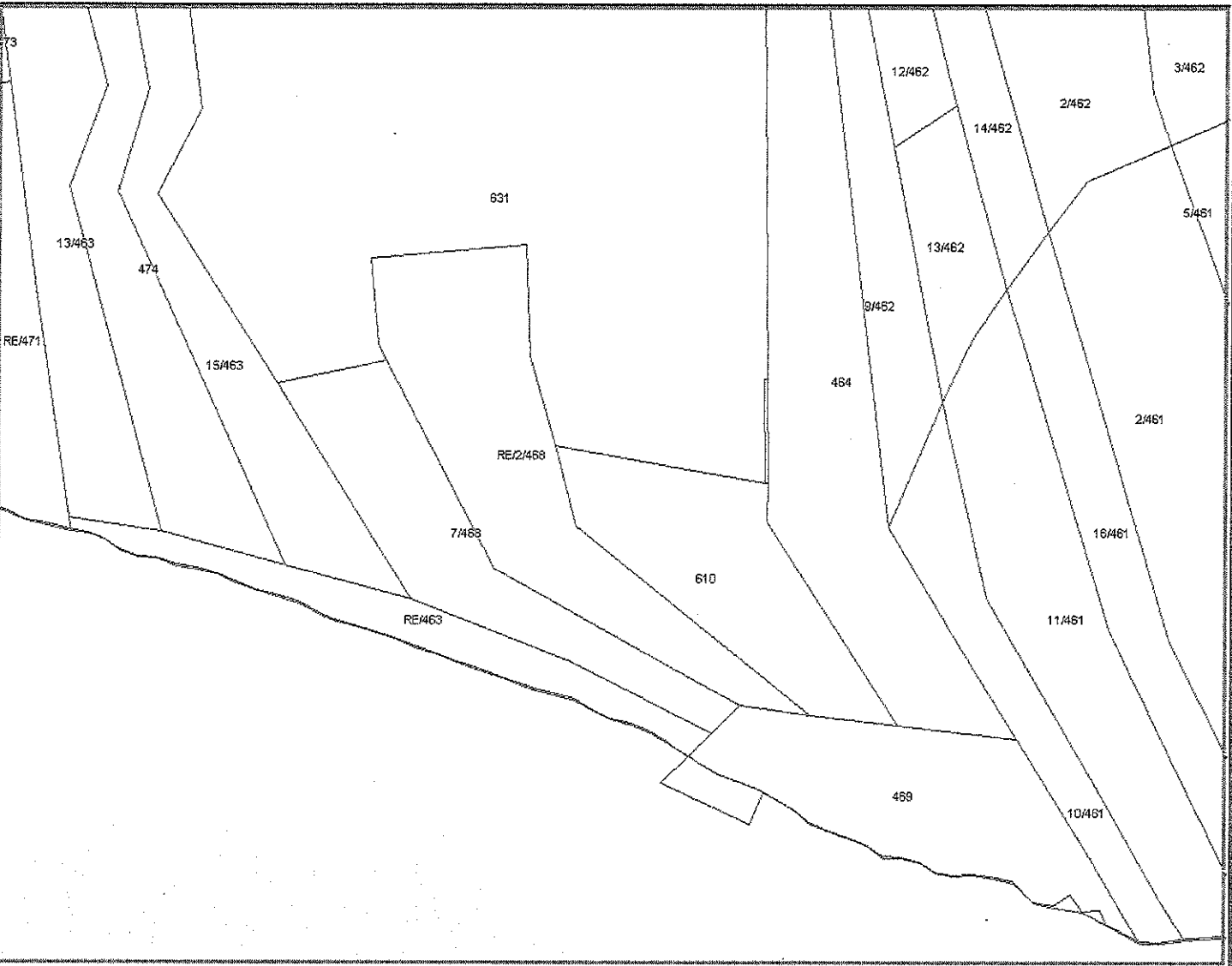
From: Kosie Sauerman [mailto:island@hilbert.co.za]
Sent: 01 October 2014 01:24 PM
To: badenhorst.pieter1@gmail.com
Subject: FW: Diagramme van plase langs die kus

From: Chris Boonzaier [mailto:cgboonzaier@ruraldevelopment.gov.za]
Sent: 23 September 2014 11:40 AM
To: Kosie Sauerman
Subject: RE: Diagramme van plase langs die kus

Hallo Kosie,

Sien die GIS-kaart hierby aangeheg. Ek het vasgestel dat die restant van Plaas 463 aan 'n privaat maatskappy behoort, wat ook ander plase in die omgewing besit. Sovêr ek kon vasstel is daar egter geen rooilyndatakaart vir Plaas 463 Driefontein of enige van sy onderverdelings nie.

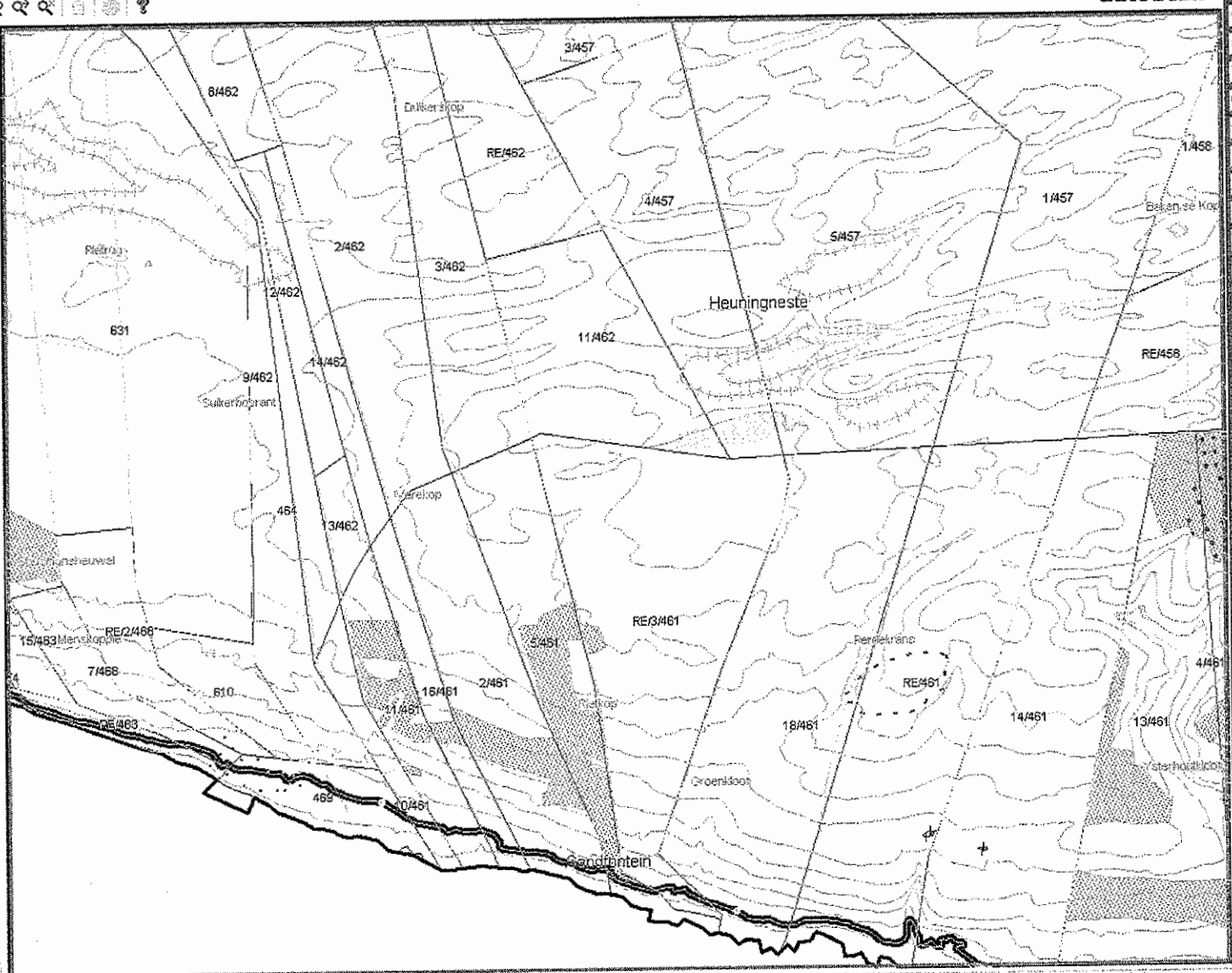
- CADASTRAL LINK
- DEMARCATION
 - Provincial
 -
- RIVERS DAMS PAN
- ROADS
- SG BEACONS
- SG SERVITUDES AI
- SG SERVITUDES LI
- TOPO
- TOPO STRUCTURE
- SG BOUNDARIES
 - Town/Allotment
 -
 - Metro Municipality
 - Local Municipality
 - Suburbs
 - Pre 1994 Municipality
 - General Plan
- Proclaimed road
- Road National
- Proclamation Area
- Miscellaneous
- Magisterial
- SG PARCELS
 - Proposed Survey
 - Sectional Title
 - State_Land_201
 - State_Land_201
 - State_Land_201
 - State Land Audit
 - Erven
- Private Places (F)
- Public Places (P)
- Farm Portions
- Streets Private
- Streets
- Erf (Parent)
- Unsurveyed State



Lat: -34.381444, Lon: 21.602047 1 : 16,001 2.89 x 2.24 (m)

Find Farm by name: Find Town by name: Find General Plan by SG Number: Do Not use this search: Find parcels by SG Number: Find Parcels by TOWN (i.e. ADMINISTRATION):

- CADASTRAL LINKIN
- DEMARCATION
 - Provincial
- RIVERS DAMS PAN
- ROADS
- SG BEACONS
- SG SERVITUDES AI
- SG SERVITUDES LI
- TOPO
- TOPO STRUCTURE
- SG BOUNDARIES
 - Town/Allotment
 - District Council
 - Metro Municipali
 - Local Municipali
 - Suburbs
 - Pre 1994 Municl
 - Proclaimed road
 - Road National
 - Proclamation Are
 - Miscellaneous
 - Magisterial
 - Administrative Di
- SG PARCELS
 - Proposed Survey
 - State_Land_201
 - State_Land_201
 - State_Land_201
 - State Land Audit
 - Parent Farms
 - Farm Portions
 - Unsurveyed Stat



Lat: -34.386690, Lon: 21.626679 1 'Contours' selected 1 : 32,010 5.78 x 4.48 (mi)

Find a Farm by name: Find a Town by name: Find General Plan by SG Number: Do Not use this search: Find parcel via SG Number: Find Parcels by TOWN or ADMIN REGION:

Go Go Go Go Go Go

Appendix 2 jj: email from M Horn dated 1 October 2019

Erik Botha

From: Muller Horn <mullerhorn@gmail.com>
Sent: Tuesday, October 01, 2019 8:37 PM
To: Erik Botha
Subject: Re[2]: Kustoegang
Attachments: Lys Micheal.pdf; Lys Koos.pdf; Lys Fernando.pdf; Lys Muller.pdf; Ander kustoegangspunte.pdf

Goeie dag Erik,

Hiermee die verdere lys. Daar is ook behoefte vir toegang op ander punte van die kus en ek heg vir jou n lys wat ander punte spesifiseer hierby aan. Die punt waarop die lys gefokus het is die een waar ons die meeste direkte konflik ervaar en graag redelike kustoegang sou wou hê, maar wil dit nie beperk tot slegs daardie punt nie.

Hoop dit is in orde so.

Byvoorbaat dank

Muller Horn

----- Original Message -----

From: "Erik Botha" <erik@erikbotha.co.za>
To: "Muller Horn" <mullerhorn@gmail.com>
Sent: 01/10/2019 07:18:57 AM
Subject: RE: Kustoegang

Dankie Muller.

ERIK BOTHA

BSc. MIWMSA

ENVIRONMENTAL MANAGEMENT CONSULTING

Cell: +2782 4516881
Fax: +2786 6567442
www.erikbotha.co.za
15 Brigantine Avenue
Sun Valley
Fish Hoek
7975

From: Muller Horn <mullerhorn@gmail.com>
Sent: Monday, September 30, 2019 8:59 PM
To: Erik Botha <erik@erikbotha.co.za>
Subject: Kustoegang

Goeie dag Erik,

Hiermee lyste van name van persone wat graag kustoegang sal wil hê. Ek gaan ook môre vir jou nog lyste stuur.

Hoop dit is in orde so.

By voorbaat dank

Muller Horn

Tel 084 7111 657

Bloukrans

YSTERVARK FONTEIN "CROUSKAMP"

Lughuis - BODMA

LUGHUIS

Fynbos strand

Lughuis

Lughuis

YSTERVARK FONTEIN FYNBOS STRAND

LUGHUIS

DREI FONTEIN

DREI FONTEIN

Bloukrans

LUGHUIS

LYS VAN NAME VIR REDELIKE KUSTOEGANG

Ons as die persone wat hieronder gelys word, wil graag ons reg van redelike toegang tot openbare kuseiendom uitoefen, selfs net tot die beperkte mate van voetganger toegang. Synde dat ons reeds voorheen gebruik gemaak het van die toegang gemerk STIL22 (Groenkant Natuurresewaat), soos per Tuinroete kustoegangsoudit aangedui, wil ons net die behoefte bevestig om daar 'n permanente toegangspunt te kry, waar toegang nie gesluit of van ons weerhou sal word nie.

| Naam en van | ID nommer | Handtekening |
|---------------------|---------------------|--------------|
| 1 MARSHALL JENNIFER | 8605185158084 | |
| 2 WAWWE PEARLLOO | 7608145067081 | |
| 3 A.S. KADJE | 611066 Fyabo, Reims | |
| 4 SOWIS FLOON | 690120 6000 088 | |
| 5 GWIN KORTJE | 671110 5824 086 | |
| 6 ADAM RIDDLES | 510420 5166 080 | |
| 7 BESORDAN LANGVELD | 790802 5165 082 | |
| 8 LOUISE WATERBOER | 7401100080 081 | |
| 9 MICHAEL RIDDLES | 6906265207086 | |
| 10 ABEL KORTJE | 550305513086 | |
| 11 JACOBUS BROWN | 0207 5214 089 | |
| 12 COENRAAD RIDDLES | 701026 5269 086 | |
| 13 FAREM PHOENIXES | 621213 5096 084 | |
| 14 | | |
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| 20 | | |

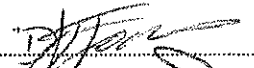

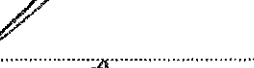
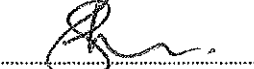
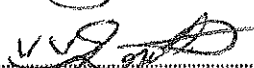
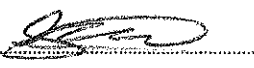
LYS VAN NAME VIR REDELIKE KUSTOEGANG

Ons as die persone wat hieronder gelys word, wil graag ons reg van redelike toegang tot openbare kuseiendom uitoefen, selfs net tot die beperkte mate van voetganger toegang. Synde dat ons reeds voorheen gebruik gemaak het van die toegang gemerk STIL22 (Groenkant Natuurreseervaat), soos per Tuinroete kustoegangsoudit aangedui, wil ons net die behoefte bevestig om daar 'n permanente toegangspunt te kry, waar toegang nie gesluit of van ons weerhou sal word nie.

| Naam en van | ID nommer | Handtekening |
|--------------------|-----------------|-----------------|
| 1 | | |
| 2 J.J. PIETERSE | 5108035001086 | J.J.P. |
| 3 B. PIETERSE | 7906215087082 | B. Pieterse |
| 4 JOHN PIETERSEN | 5409185252085 | John Pieterse |
| 5 Willem JONES | 630820 5776082 | W. Jones |
| 6 Flip September | 560913 522608 | Flip September |
| 7 David D. Valtyn | 5607295117086 | D. Valtyn |
| 8 CAIFFELUS | 5002015741089 | C. Caiffelus |
| 9 I Barendilla | 6507095213086 | I. Barendilla |
| 10 A. de Groot | 4905065576080 | A. de Groot |
| 11 E. J. OCTOBER | 700128 5738 084 | E. J. October |
| 12 J. J. JANSEN | 5601065051088 | J. J. Jansen |
| 13 John Pansenford | 6505165046089 | John Pansenford |
| 14 Linden Strydom | 8509035136086 | L. Strydom |
| 15 JOHN PRINS | 6002155191083 | John Prins |
| 16 Charles Prins | 720131 5111 085 | C. Prins |
| 17 MARTIN JULES | 660307 5265 087 | M. Jules |
| 18 K TARENTAAL | 660619 5115087 | K. Tarentaal |
| 19 J VAALTYN | — 16/07/72 | J. Vaaltyn |
| 20 H.J. Jansen | 5009045071087 | H.J. Jansen |

LYS VAN NAME VIR REDELIKE KUSTOEGANG

Ons as die persone wat hieronder gelys word, wil graag ons reg van redelike toegang tot openbare kuseiendom uitoefen, selfs net tot die beperkte mate van voetganger toegang. Synde dat ons reeds voorheen gebruik gemaak het van die toegang gemerk STIL22 (Groenkant Natuurreseervaat), soos per Tuinroete kustoegangsoudit aangedui, wil ons net die behoefte bevestig om daar 'n permanente toegangspunt te kry, waar toegang nie gesluit of van ons weerhou sal word nie.

| Naam en van | ID nommer | Handtekening |
|-----------------|---------------|---|
| 1 D. J. J. ME | 641120033088 |  |
| 2 A. J. MICHELS | 7507205113084 |  |
| 3 Theo Naloty | 4607285085088 |  |
| 4 FRANS ARENDE | 7608225056087 |  |
| 5 W. SEPTEMBER | 5008145199087 |  |
| 6 STEVEN CHINA. | 7704295144083 | SCHINA. |
| 7 KOBUS KRASMUS | 7011015141088 | KRASMUS. |
| 8 GERSUAN SMITH | 7012105150088 |  |
| 9 | | |
| 10 | | |
| 11 | | |
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LYS VAN NAME VIR REDELIKE KUSTOEGANG

Ons as die persone wat hieronder gelys word, wil graag ons reg van redelike toegang tot openbare kuseiendom uitoefen, selfs net tot die beperkte mate van voetganger toegang. Synde dat ons reeds voorheen gebruik gemaak het van die toegang gemerk STIL22 (Groenkant Natuurresewaat), soos per Tuinroete kustoegangsoudit aangedui, wil ons net die behoefte bevestig om daar 'n permanente toegangspunt te kry, waar toegang nie gesluit of van ons weerhou sal word nie.

| Naam en van | ID nommer | Handtekening |
|---|------------------------------------|--------------|
| 1 GEORGE SIMONS Gourikwa & Fynbos | 5409245182082 | |
| 2 Fernando Teixeira FYNBOS GOURIKWA N&HUIS | 8911095136081 | |
| 3 J. VAN GREUNEN | 4802105078093 | |
| 4 J Van Zyl | 21/11/56 | |
| 5 A.J. Koolje | 6/10/66 Fynbos, Gourikwa | |
| 6 W. Conradie | 5410145029084 FYNBOS. Gourikwa. | |
| 7 F VAN ZYL | 63-05-22 | |
| 8 FZRD S Teixeira | 6708085271081 | |
| 9 Dewald Barnard | 8904108903 | |
| 10 Alkendon | 540060108082 | |
| 11 M. M. M. M. | 6412125057084 | |
| 12 F. Teixeira | 6208085271081 | |
| 13 A. Oosthuizen | 9101060083081 | |
| 14 Geroldo Amsterdam | 8811015169081 | |
| 15 P. Kleinhans | 491208540082 | |
| 16 C. Valtun | 8712205033089 | |
| 17 R. Buisson | 8102185063084 | |
| 18 KIEWIET MITBOOI | 6708065052088 | |
| 19 Jassie Coenje | 7605105145086 | |
| 20 Willem Kleinhans | 7811055076080 | |


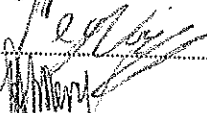
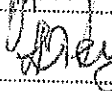
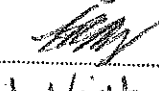
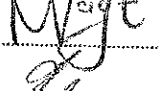
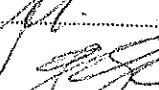
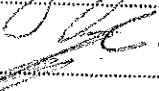
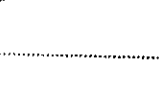
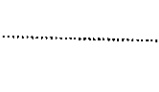
LYS VAN NAME VIR REDELIKE KUSTOEGANG

Ons as die persone wat hieronder gelys word, wil graag ons reg van redelike toegang tot openbare kuseiendom uitoefen, selfs net tot die beperkte mate van voetganger toegang. Synde dat ons reeds voorheen gebruik gemaak het van die toegang gemerk STIL22 (Groenkant Natuurresewaat), soos per Tuinroete kustoegangsoudit aangedui, wil ons net die behoefte bevestig om daar 'n permanente toegangspunt te kry, waar toegang nie gesluit of van ons weerhou sal word nie.

| | Naam en van | ID nommer | Handtekening |
|----|---------------------|----------------|--------------|
| 1 | Henno Pretorius | 7311225174089 | |
| 2 | Pieter Wentzel | 8305075046081 | |
| 3 | COENE VAN BRUNNEN | 7608185232082 | |
| 4 | Loene Steyn | 8310215069084 | |
| 5 | Shaun Giliomee | 9201185475089 | |
| 6 | ERACH PIETRESE | 9507035199086 | |
| 7 | Bonnie Michtaals | 82110752063088 | |
| 8 | Pieter Swaets | 10/6/83 | |
| 9 | Re. M. M. S. | 15/6/90 | |
| 10 | Jert van Zyl | 7605235072088 | |
| 11 | Kleinman Costhuizen | 072 3544528 | |
| 12 | Ian v. Greunen | 8012235041081 | |
| 13 | J ROOS | 1976/12/14 | |
| 14 | Chr. Loggendorp | 1976/02/23 | |
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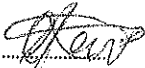



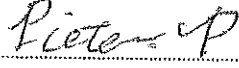
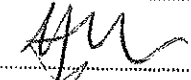
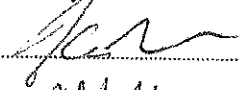
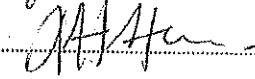
LYS VAN NAME VIR REDELIKE KUSTOEGANG

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| Naam en van | ID nommer | Handtekening |
|-----------------------|---------------|---|
| 1 Jacobus de Brayn | 8006135283085 |  |
| 2 Cornelis Voigt | 8212045168088 |  |
| 3 Hanni van Merwe | 7707055020088 |  |
| 4 Louise Meyer | 8902080083081 |  |
| 5 Helgard Meyer | 8011055052087 |  |
| 6 Madelie Voigt | 8511220088080 |  |
| 7 Joritavan der Merwe | 8603300057083 |  |
| 8 Adam Voigt | 8101195091085 |  |
| 9 Chantelle Voigt | 8808130100081 |  |
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LYS VAN NAME VIR REDELIKE KUSTOEGANG

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| Naam en van | ID nommer | Handtekening |
|------------------------------|------------------------------|---|
| 1 Muller HORN | 8112115203080 |  |
| 2 Jansen LANGEVELD | 811 9603045161052 |  |
| 3 PIETER MARKUS ID | 830918523908 |  |
| 4 ELIZABETH PETERSUS/03/1990 | |  |
| 5 Ferderick September | 07/05/2001 | F. September |
| 6 Elvin September | 900195176085 |  |
| 7 Adriaan Pieteri85 | | A.P |
| 8 Keaton Koebeg | 01/02/2004 | K.K |
| 9 Rowen Paulsen | 0305046123082 | R. Paulsen |
| 10 Pieter Paulsen | ID.No. 1204055216080 |  |
| 11 HILTON-PIETERSE | 15/7/1999 | H.P |
| 12 Monica Coelelebe | | M.C |
| 13 Hilandi Horn | 8204180166084 |  |
| 14 JG Horn | 4604285022088 |  |
| 15 Zelda Horn | 5102020067087 |  |
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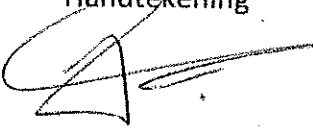

LYS VAN NAME VIR REDELIKE KUSTOEGANG

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| | Naam en van | ID nommer | Handtekening |
|----|---------------------|---------------|--------------|
| 1 | Henno Pactorius | 7311225174089 | |
| 2 | Pieter Weerd | 8305075046081 | |
| 3 | Colne van Geuron | 7608185232082 | |
| 4 | Colne Steyn | 8310215069084 | |
| 5 | Shaun Gilicmee | 9201185475089 | |
| 6 | EMAN PETERSE | 9567035199086 | |
| 7 | Tomie Michale | 8211075263088 | |
| 8 | Pieter Swart | 10/6/83 | |
| 9 | Le Munnich | 15/6/90 | |
| 10 | Jert van Zyl | 7605235072088 | |
| 11 | Kleinman Costhuizen | 072 3504528 | |
| 12 | Tan v. Greunen | 8012235041081 | |
| 13 | J ROOS | 1976/12/14 | |
| 14 | Ev. Loozebeek | 1976/02/23 | |
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LYS VAN NAME VIR REDELIKE KUSTOEGANG

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| Naam en van | ID nommer | Handtekening |
|---------------------|---------------|---|
| 1 Muller Strydom | 6812105063087 |  |
| 2 HB Muller Strydom | 0808025116081 |  |
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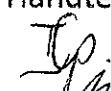











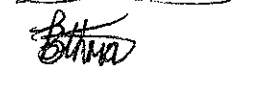

LYS VAN NAME VIR REDELIKE KUSTOEGANG

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| | Naam en van | ID nommer | Handtekening |
|----|------------------|---------------|---|
| 1 | TON SHILOH | 6302255033068 |  |
| 2 | Deon van Emmagis | 7309245051089 |  |
| 3 | Hendriko Lead | 0005135045087 |  |
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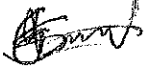
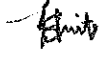
LYS VAN NAME VIR REDELIKE KUSTOEGANG

Ons as die persone wat hieronder gelys word, wil graag ons reg van redelike toegang tot openbare kuseiendom uitoefen, selfs net tot die beperkte mate van voetganger toegang. Synde dat ons reeds voorheen gebruik gemaak het van die toegang gemerk STIL22 (Groenkant Natuurreserveat), soos per Tuinroete kustoegangsoudit aangedui, wil ons net die behoefte bevestig om daar 'n permanente toegangspunt te kry, waar toegang nie gesluit of van ons weerhou sal word nie.

| Naam en van | ID nommer | Handtekening |
|----------------------------|---------------|---|
| 1 HEINIE Geylervhuys | 5704245020088 |  |
| 2 Nardus Redelinghuys | 8308165084087 |  |
| 3 Laurentius van der Merwe | 6701175144085 |  |
| 4 F. MUNRO | 6611245101082 |  |
| 5 K. Nel | 7601730074088 |  |
| 6 P. Redelinghuys | 8507125199089 |  |
| 7 RB Redelinghuys | 6003255079087 |  |
| 8 Jurrrie Wessels | 8704095410081 |  |
| 9 Coenie van der Berg | 8207145098086 |  |
| 10 Anneke de Jager | 8709160044085 |  |
| 11 Ricca Venter | 0828475011 |  |
| 12 Ilze Pretorius | 0823049192 |  |
| 13 Fritz van Vuuren | 8003215007085 |  |
| 14 Theola Bothma | 9901200169084 |  |
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| Naam en van | ID nommer | Handtekening |
|-----------------|-----------------|---|
| 1 Russouw Smit | 8410315169089 |  |
| 2 Kowie Smit | 8308185087086 |  |
| 3 Nicolet Smit | 850829 0047 087 | Smit. |
| 4 Anneke Smit | 8603050125080 | Amit |
| 5 Jannie Smit | 53 09 015124084 | JBC Smit |
| 6 Heliette Smit | 5507310228088 |  |
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Appendix 2 kk: email from MH Yoon dated 30 Sept 2019

Erik Botha

From: Muriel Hau Yoon <hauyoon@afrikom.co.za>
Sent: Monday, September 30, 2019 12:51 PM
To: Erik Botha
Subject: Duineveld Submission on the Garden Route Coastal Access Audit
Attachments: Duineveld Kusbewaringsvereniging Kaart en Ledelys.pdf; Duineveld Ledelys (September 2019).docx; Duineveld Coastal Association Submission on the Garden Route Coastal Access Audit.doc

Dear Erik,

Hope you are well?

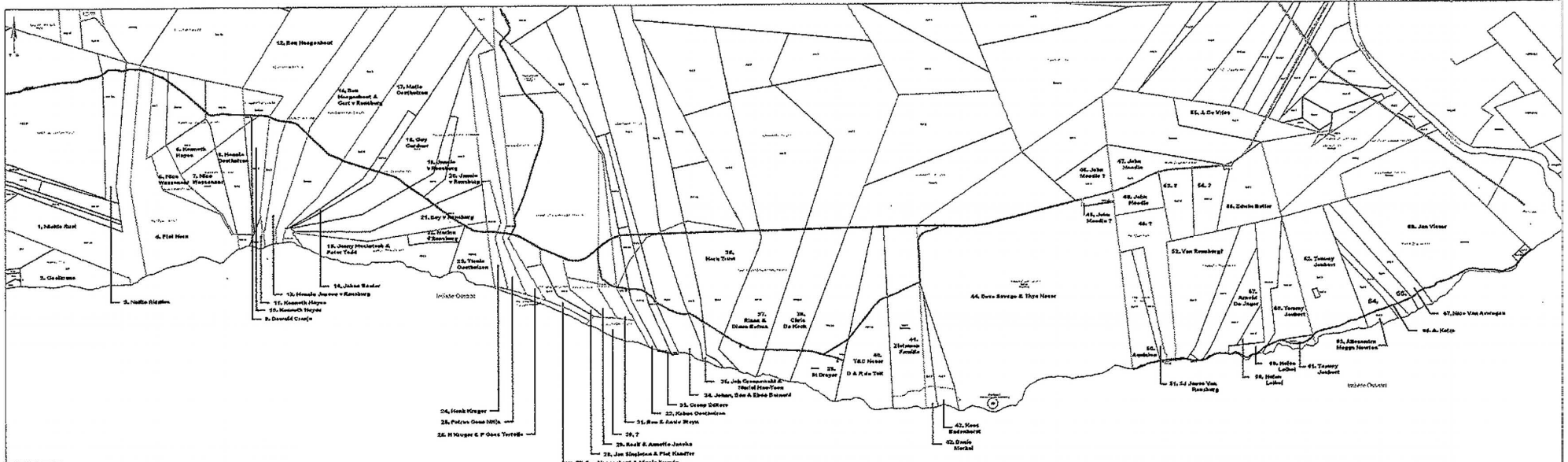
Attached please find

- (a) the Duineveld Coastal Association's submission on the Garden Route Coastal Access Audit
- (b) A map of the properties covered by the Association
- (c) A list of individual members.

With thanks and best wishes,
Muriel

Muriel Hau-Yoon
Duineveld Kusvereniging / Duineveld Coastal Association

YSTERVARKFONTEIN & DUINEVELD BEWAREA



LEGENDE:

Ploeglynne
 Oorvloedings
 Tussenwaaier
 Tussen
 Openbare Groenland
 Waterloopwaaier
 Oorsaal deur: Willems Zwaan
 Datum: 2017/04/19

| NO. | EIENAAR | HOOF | GED | PLAASNAAM | E-POS | NO. | EIENAAR | HOOF | GED | PLAASNAAM | E-POS | NO. | EIENAAR | HOOF | GED | PLAASNAAM | E-POS |
|-----|----------------------------------|-----------------------|-----|---------------------------------|--|-----|--------------------------------|----------------------------|------------|-------------------------|---------------------------------------|-------|------------------------|-------------------|-------|-------------|-------------------------|
| 1. | Nielke Rust | Mokkoute Fontein 480 | 118 | Bosbokfontein | nielerust@gmail.com | 25. | Petrus Gous Mija | Driefontein Wes 474 | 14 | Orca | pgous@global.co.za | 49. | ? | - | - | - | - |
| 2. | Geelbrans | Cape Nimve | - | - | - | 26. | H Kruger & P Gous Tortello | Driefontein Wes 474 | 15 | - | - | 50. | Arquilon | Lange Fonteyn 453 | 6 | Roman Bay | arquilon@equinox.co.za |
| 3. | Nellie Riddies | Malkhoute Fontein 480 | 101 | - | - | 27. | Ben Hoogenhout & Nicole Brands | Driefontein 468 | 7 | - | nicole@electrocabproduction.co.za | 51. | SJ Janse Van Rensburg | Lange Fonteyn 453 | 7 | - | - |
| 4. | Riet Mem | Die Pias 518 | - | - | rietmem@hotmail.com | 28. | Jan Singleton & Piet Kamffer | Driefontein 468 | 2 | - | kampf@mvweb.co.za | 52. | Van Rensburg? | Lange Fonteyn 453 | 3 | - | - |
| 5. | Nico Wassenaar | Riet Valley 484 | 7 | - | - | 29. | Roel & Annette Jacobs | Pleas No 610 | - | Tsiggiel | roelfe@gmail.com | 53. | ? | - | - | - | - |
| 6. | Kenneth Hayes | Loxgukkie 628 | 4 | Kaninambo | admin@hahval.co.za | 30. | ? | - | - | - | - | 54. | ? | - | - | - | - |
| 7. | Nico Wassenaar | Riet Valley 470 | 7 | Buffelsfontein | - | 31. | Ben & Annelie Stoen | Driefontein 464 | - | - | benstoen@vodanet.co.za | 55. | J. De Vries | Wolfontein 454 | 7 | - | - |
| 8. | Hennie Oosthuizen | Riet Valley 470 | 5 | - | - | 32. | Robus Oosthuizen | Driefontein 464 | - | - | - | 56. | Edwin Butler | Wolfontein 454 | 1 | Glen Eden | edwin@avima.co.za |
| 9. | Dewald Croxje | Loxgukkie 628 | 1 | - | - | 33. | Group Editors | Driefontein 464 | 3,12,13,24 | - | janlang@groupeditors.com | 57. | Arnold De Jager 7 | - | - | - | - |
| 10. | Kenneth Hayes | Loxgukkie 638 | 8 | Kaninambo | edmin@hahval.co.za | 34. | Johan, Ben & Eben Bernard | Groot Ystervarkfontein 461 | 2 | Seebries | janben@hahval.co.za | 58. | Helen Leibel | Lange Fonteyn 453 | 5 | Barrfontein | - |
| 11. | Kerwin Hayes | Loxgukkie 638 | 4 | Kaninambo | edmin@hahval.co.za | 35. | Joh Greenwald & Marel Heu-Yoon | Groot Ystervarkfontein 461 | 5 | Greenlant | johngreen@mvweb.co.za | 59. | Helen Leibel | Lange Fonteyn 453 | RES | Barrfontein | - |
| 12. | Ben Hoogenhout | Kleries Post 403 | 1 | - | benhoogenhout@gmail.com | 36. | Horn Trust | Groot Ystervarkfontein 461 | 3 | - | mullerhorn@gmail.com | 60. | Tommy Joubert | Lange Fonteyn 453 | 16 | - | tommy@easy.com.co.za |
| 13. | Hennie Jansen v Rensburg | Malk Post 481 | - | Malk Post | henniejansen@hahval.co.za | 37. | Riaan & Diane Botma | Groot Ystervarkfontein 461 | 18 | - | rd@midstream.co.za | 61. | Tommy Joubert | Lange Fonteyn 453 | 11 | - | tommy@easy.com.co.za |
| 14. | Johan Sester | Ratelpost 473 | 10 | - | - | 38. | Chris de Kock | Groot Ystervarkfontein 461 | RES | - | chris@rfs.co.za | 62. | Tommy Joubert | Riet Valley 452 | 1 & 3 | - | tommy@easy.com.co.za |
| 15. | Jenny Macintosh & Peter Todd | Damjies Post 471 | 1 | Vergeefwingskop | macintosh@espt.co.za / jenny@espt.co.za | 39. | M Dreyer | Groot Ystervarkfontein 461 | 14 | Fynbos | nanno@espt.co.za | 63. | Alexandra Meggs Newton | Riet Valley 452 | 6 | - | amaggs@mvweb.co.za |
| 16. | Ben Hoogenhout & Gert v Rensburg | Vogelstruis Post 475 | 1 | Bosbokfontein Wellingtons kruis | benhoogenhout@gmail.com / gert@benhoogenhout.com | 40. | T&C Noser / Dan & Rood du Toit | Groot Ystervarkfontein 461 | 13 | Ystervarkfontein | dzt@global.co.za | 64. | ? | Riet Valley 452 | 8 | - | - |
| 17. | Mattie Oosthuizen | Ratelpost 473 | 11 | - | - | 41. | Zietman Familie | Groot Ystervarkfontein 461 | 4 | Middelpunt | wm@zietman@gmail.com | 65. | A. Kotze | Riet Valley 452 | 9 | - | - |
| 18. | Guy Gardner | Ratelpost 473 | 7 | - | - | 42. | Davie Mordal | Buffelsboek 465 | 7 | - | mordal@hahval.co.za | 66. | ? | Riet Valley 452 | 4 | - | nic@benhoogenhout.co.za |
| 19. | Jannie v Rensburg | Ratelpost 473 | 6 | - | - | 43. | Kees Badenhorst | Buffelsboek 465 | 4 | - | kees@hahval.co.za | 67. | Nico Van Aswegen | Riet Valley 452 | 3 | - | nic@benhoogenhout.co.za |
| 20. | Jennie v Rensburg | Ratelpost 473 | 9 | - | - | 44. | Dave Savage & Thys Noser | Buffelsboek 465 | 15 | Gaurilwa Nature Reserve | dave@hahval.co.za / thys@hahval.co.za | 68. | Jan Vries | Riet Valley 452 | RES | - | boosman@hahval.co.za |
| 21. | Boy v Rensburg | Damjies Post 473 | 5 | - | alecmotors@telkomsa.net | 45. | John Moodie 2 | Buffelsboek 465 | 13 | - | - | NOTAS | | | | | |
| 22. | Marlene v Rensburg | Damjies Post 471 | 2 | - | marlenev@gmail.com | 46. | John Moodie 1 | Buffelsboek 465 | 8 | - | - | | | | | | |
| 23. | Hennie Oosthuizen | Damjies Post 471 | RES | - | - | 47. | John Moodie | Wolfontein 454 | 8 | - | john@honeywoodfarm.co.za | | | | | | |
| 24. | Henk Kruger | Driefontein Wes 474 | 12 | Orca | - | 48. | John Moodie | Wolfontein 454 | - | - | john@honeywoodfarm.co.za | | | | | | |

DUINEVELD-KUSVERENIGING

Kuseiendom-eienaars soos op 30 September 2019

| Naam | Eiendom | E-pos adres |
|-----------------------|-------------------|--|
| Badenhorst, Koos | Buffelshoek | koos@bdkauditors.co.za |
| Barnard, Eben | Seebries | ebenads@gmail.com |
| Barnard, Riaan | Seebries | riaan@imegroup.co.za |
| Barnard, Johan | Seebries | johan@imegroup.co.za |
| Barnard, Ben | Seebries | ben@imegroup.co.za |
| Botma, Riaan | Ystervarkfontein | rb@midrand-estates.co.za |
| Botma, Diane | Ystervarkfontein | diane1@midrand-estates.co.za |
| Brunda, Nicole | Driefontein | nicole@backtobackproductions.co.za |
| Chewins, Mark | Fynbosstrand | mark@synell.co.za |
| Cronje, Dewald | | dewaldcronje@apk.co.za |
| De la Bat, Ritz | Die Rus | ritz@vdsbuy.co.za |
| De la Bat, Gawie | Die Rus | gawie@innowealth.co.za |
| De Kock, Christie | Ystervarkfontein | chris@aritek.co.za |
| Diederichs, Wicus | | wicus@cemforce.co.za |
| Du Toit, Dan | Gruisbaai | dantoit@global.co.za |
| Du Toit Ronel | Gruisbaai | dantoit@global.co.za |
| Dreyer, Marcel | Fynbosstrand | |
| Evenhuis, Nanno | Fynbosstrand | nanno@etime.com |
| Gous, Petrus | Mitja | pgous@global.co.za |
| Gous, Tertius | Poseidon | tagous@iafrica.com |
| Groenewald, Joh | Groenkant | johgroen@mweb.co.za |
| Hau-Yoon, Muriel | Groenkant | hauyoon@afrikom.co.za |
| Hardcastle, Steven | Gouritsmond | stephenwhardcastle@gmail.com |
| Hayes, Elizabeth | Kanimambo | admin@ahvaal.co.za |
| Hayes, Kenneth | Kanimambo | admin@ahvaal.co.za |
| Hoogenhout, Ben B | osbokbaai | bhoogenhout@gmail.com |
| Horak, Andre | Mitja | andre.horak@gmail.com |
| Horn, Muller | Horn Trust | mullerhorn@gmail.com |
| Horn, Piet | Die Plaas 518 | piettoer@hotmail.com |
| Jacobs, Roelf | Roanja | roelfe@gmail.com |
| Jacobs, Annette | Roanja | roelfe@gmail.com |
| Kamffer, Piet | Driefontein Ged 2 | kamfp@mweb.co.za |
| Konig, Harold | Poseidon | haroldekoning@gmail.com |
| Kruger, Henk Boedel | Orca | p/a Ddebeer@gminc.co.za |
| Louwrens, Adriaan | Fynbosstrand | aslourens@gmail.com |
| Mackintosh, Jenny | Vergaderingskop | mackintosh@adept.co.za |
| Malherbe, Johan | Fynbosstrand | johnarch@iafrica.com |
| Moolman, Peter | Group Editors | lvrhagen@groupeditors.com |
| Moolman, Terry | Group editors | nmoolman@groupeditors.com |
| Morkel, Danie | Buffelshoek | morkelwade@telkomsa.net |
| Neser, Thys | Gourikwa | thys.neser@ablanc.co.za |
| Neser, Christien | Gourikwa | tcn@lantic.co.za |
| Oosthuizen, Matie | Ratelpost | mdoosthuizen@vodamail.co.za |
| Oosthuizen, Tinie | {Boland Bank} | |
| Orban, Fred | Boggomsbaai | fred.orban@yahoo.com |
| Prinsloo, Nico | Ratelpost | Guy Gardner se eiendom |
| Riddles, Nellie | Melkhoutfontein | Geen e-pos |
| Rust, Niekie | Bosbokfontein | niekierust@gmail.com |
| Rust, Rene | Bosbokfontein | rustrenee@gmail.com |
| Savage, Dave | Gourikwa | Dave.Savage@ablanc.co.za |
| Singleton, Jan | Driefontein Ged 2 | geen e-pos nie |
| Steyn, Ben | Driefontein | bensteyninc@vodamail.co.za |
| Steyn, Ansie | Driefontein | bensteyninc@vodamail.co.za |
| Tallie, Alida | Middelpunt | ftallie@wispnet.co.za |
| Todd, Peter | Vergaderingskop | Peter.todd@gmail.com |
| Van der Merwe, Denzil | Fynbosstrand | denzil@morester.co.za |
| Van Rensburg, Hennie | Melkpost | jansevanrensburghennie43@gmail.com |
| Van Rensburg, Piet | Melkpost | J.JvR@live.co.za |
| Van Rensburg, Gert | Vogelstruis | gp.rensburg@gmail.com |
| Van Rensburg, Johan | Fynbosstrand | premiermsb@gmail.com |
| Van Wyk, Jannie | Royal Hotel | jannievandyk@wispnet.co.za |
| Van Zyl, Pieter | Ystervarkfontein | pietervanzylm@gmail.com |
| Wasserman, Nico | Buffelspost | njswasserman@standerton.co.za |
| Zietsman, Willie | Middelpunt | willie.zietsman@transnet.net |

30 September 2019

Die Sekretaris

PO Box 291, ALBERTINIA 6695

Tel: (044) 871 5671

hauyoon@afrikom.co.za

30 September 2019

Submission on the Garden Route Coastal Access Audit

1. This submission by the Duineveld Coastal Association is made on behalf of its members comprised mainly of coastal property owners within the 46km coastline of the Hessequa region between Gouritsmond and Still Bay.

Its members include the two key conservation areas of Gourikwa and Fynbosstrand, four conservancies and six private Nature reserves.

Attached please find a map of the properties represented by the Association as well as list of individual members.

2. We hereby declare that there has never ever been any historic public access to this section of the Southern Cape coastline over any of these properties. Access was strictly granted with the prior consent and knowledge of each and every coastal property owner.
3. We furthermore request the relevant authorities to inform the Association of any claims of historic public access within its area of jurisdiction in order to afford members a fair opportunity to interrogate such allegations.

With thanks and best wishes,

Muriel Hau-Yoon
Secretary

Appendix 2 II: email from MH Yoon dated 25 March 2019

Erik Botha

From: Muriel Hau Yoon <hauyoon@afrikom.co.za>
Sent: Monday, March 25, 2019 11:49 AM
To: Erik Botha
Cc: 'leptieshaam Bekko'; 'Rust, Niekie & Renee'; 'Botma, Riaan'; 'Hayes, Kenneth'; 'Van Rensburg, Hennie'; 'Van Rensburg, Gert'; Ben Steyn; 'Dave Savage'; Groenewald, Joh; 'Willie Zietsman *Transnet Property PLZ'; 'Fernando Tallie'; 'nanno evenhuis'; 'Adriaan Lourens'; johnarch@iafrica.com; Gous, Petrus; Hoogenhout, Ben; Jacobs, Roelf & Annette; 'Japie Steenkamp'; Barnard, Riaan; Barnard, Ben; Barnard, Eben; Barnard, Johan; premiermsb@gmail.com; mark@syntell.co.za; 'Thys Nesor'; Botma, Diane
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement
Attachments: Coastal Access Audit (Zietsman).docx

Hello Erik,

Thanks for checking.

I can only respond on behalf of the Duineveld Coastal Association, and no, the issues we raised have not yet been adequately dealt with.

I have however copied your e-mail to all the other members who made submissions for their feedback.

I also attach herewith Willie Zietsman's submission.

Erik, I have retired to George so please feel free to contact me if ever you need more info, or wish to visit any of our members' properties between Still Bay and Gouritsmond in order to get a better idea of the lie of the land.

With kind regards,
Muriel

Muriel Hau-Yoon
Duineveld Kusvereniging / Duineveld Coastal Association

From: Erik Botha [mailto:erik@erikbotha.co.za]
Sent: 25 March 2019 11:01 AM
To: Muriel Hau Yoon <hauyoon@afrikom.co.za>
Cc: 'leptieshaam Bekko' <leptieshaam.Bekko@westerncape.gov.za>; Rust, Niekie & Renee <niekierust@gmail.com>; Botma, Riaan <rb@midrand-estates.co.za>; Hayes, Kenneth <admin@ahvaal.co.za>; Van Rensburg, Hennie <jansevanrensburghennie43@gmail.com>; Van Rensburg, Gert <gprensburg@gmail.com>; 'Ben Smith' <bens.hessequa@gmail.com>; 'Dave Savage' <Dave.Savage@Abland.co.za>
Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement

Hi Muriel,

We do have these submissions on record (with what appears to be the exception of Mr Zietsman's submission). These inputs, along with existing data and new information will be considered and incorporated into our report and made available for public comment.

Could I ask that you please make use of this opportunity to confirm whether or not the issues and concerns raised in the submissions have been adequately addressed.

Regards,

ERIK BOTHA

BSc. MIRMSA MIWMSA

ENVIRONMENTAL MANAGEMENT CONSULTING

Cell: +2782 4516881
Fax: +2786 6567442
www.erikbotha.co.za
15 Brigantine Avenue
Sun Valley
Fish Hoek
7975

From: Muriel Hau Yoon <hauyoon@afrikom.co.za>

Sent: Tuesday, March 19, 2019 6:07 PM

To: Erik Botha <erik@erikbotha.co.za>

Cc: 'leptieshaam Bekko' <leptieshaam.Bekko@westerncape.gov.za>; Rust, Niekie & Renee <niekierust@gmail.com>; Botma, Riaan <rb@midrand-estates.co.za>; Hayes, Kenneth <admin@ahvaal.co.za>; Van Rensburg, Hennie <jansevanrensburghennie43@gmail.com>; Van Rensburg, Gert <gprensburg@gmail.com>; 'Ben Smith' <bens.hessequa@gmail.com>; 'Dave Savage' <Dave.Savage@Abland.co.za>

Subject: RE: Garden Route Coastal Access Audit: Stakeholder Engagement

Hi Erik,

Thanks for your latest e-mail.

Please can you confirm whether you received the submissions from the following Duineveld members, which were sent to the Department of Environment Affairs on 11 July 2018?

- Duineveld Coastal Association
- Fynbosstrand
- Gourikwa
- Eben Barnard
- Riaan Botma
- Groenkant Nature Reserve
- Petrus Gous
- Ben Hoogenhout
- Roelf Jacobs
- Ben Steyn
- Gert van Rensburg
- Fernando Tallie
- Willie Zietsman
- Ystervarkfontein Bewarea

Please also scroll down for leptieshaam's confirmation that the individual correspondence will be considered in the 'alignment project'.

Thanks and all best,
Muriel

Muriel Hau-Yoon

Duineveld Kusvereniging / Duineveld Coastal Association

From: leptieshaam Bekko [<mailto:leptieshaam.Bekko@westerncape.gov.za>]

Sent: 10 October 2018 10:07 AM

To: Muriel Hau Yoon <hauyoon@afrikom.co.za>

Subject: RE: Coastal Access Audit - Submission by Duineveld Coastal Association

Good day Ms Hau Yoon

The individual correspondence received after completion of the final report will be considered in the 'alignment project'.

Best regards,
leptieshaam Bekko
Sub-Directorate: Coastal Management
Directorate: Biodiversity and Coastal Management
Chief Directorate: Environmental Sustainability
Department of Environmental Affairs and Development Planning
Western Cape Government

4th Floor, Leeusig Building, 1 Dorp Street, Cape Town.

Tel: 021 483 3370
E-mail: leptieshaam.Bekko@westerncape.gov.za
Website: www.westerncape.gov.za

Be 110% Green. Read from the screen.



From: Muriel Hau Yoon [<mailto:hauyoon@afrikom.co.za>]
Sent: 09 October 2018 03:05 PM
To: leptieshaam Bekko <leptieshaam.Bekko@westerncape.gov.za>
Cc: 'van Weele, Gerard' <gerard.vanweele@rhdhv.com>; Rust, Niekie & Renee <niekierust@gmail.com>; Botma, Riaan <rb@midrand-estates.co.za>; Hayes, Kenneth <admin@ahvaal.co.za>; Van Rensburg, Hennie <jansevanrensburghennie43@gmail.com>; Van Rensburg, Gert <gprensburg@gmail.com>; Ben Steyn <bensteyninc@vodamail.co.za>; Groenewald, Joh <johgroenh@mweb.co.za>
Subject: RE: Coastal Access Audit - Submission by Duineveld Coastal Association

Hallo leptieshaam,

Thanks for your prompt response and for attaching the latest version of the Coastal Access Audit.

I notice that this version datelined June 2018, yet the individual submissions of our members have not yet been incorporated.

I assume this will be done as part of the proposed 'alignment project'.

We look forward to taking part in the next round of stakeholder engagement.

All best,
Muriel

Muriel Hau-Yoon
Duineveld Kusvereniging / Duineveld Coastal Association

From: Erik Botha [<mailto:erik@erikbotha.co.za>]

Sent: 14 March 2019 01:11 PM

To: frontline@intekom.co.za; koosanitadp@yahoo.com; emma@ctn.gapp.net; theoer@lantic.net; Christo.Fabricsius@nmmu.ac.za; stilbaaiinfo@easycoms.co.za; errol@gardenroutebiosphere.org.za; gwenfourie@yahoo.com; vleesbaai@iafrica.com; janbill@absamail.co.za; mark@mbw6.co.za; gcaigher@mweb.co.za; geldharry@gmail.com; ndg@polka.co.za; kidstop@yfcgeorge.org.za; info@heidelbergbf.co.za; jeff@jcomms.co.za; jannie47@telkomsa.net; ria@riebens.com; goldfain@iafrica.com; pgous@me.com; pgous@global.co.za; oslerplace@gmail.com; groenewaldbarnie@gmail.com; johgroen@mweb.co.za; johgroen@mweb.co.za; Chloe.Guerbois@nmmu.ac.za; fhaasbroek@telkomsa.net; conservation@breede-river.org; daniel@sohn.co.za; richard@sohn.co.za; ghartman@lantic.net; hauyoon@afrikom.co.za; admin@ahvaal.co.za; fransmanshoek@gmail.com; info@duiwenhoksconservancy.co.za; elzeth.hiseman@outlook.com; rhiseman@gmail.com; gouritz@gmail.com; mullerhorn@gmail.com; werner.k.i@gmail.com; roelfe@gmail.com; info@gardenroutethatch.co.za; info@oakdale.co.za; jgivreburg@gmail.com; jjur@live.co.za; johanjvr92@yahoo.com; katinka.jvr123@gmail.com; marinajvr@gmail.com; marzena@telkomsa.net; i.jur@live.co.za; peet.joubert@gmail.com; jeromekannemeyer@gmail.com

Cc: 'leptieshaam Bekko (leptieshaam.Bekko@westerncape.gov.za)' <leptieshaam.Bekko@westerncape.gov.za>; 'Mellisa Naiker (Mellisa.Naiker@westerncape.gov.za)' <Mellisa.Naiker@westerncape.gov.za>; Errol Cerff <errol@errolcerff.co.za>

Subject: FW: Garden Route Coastal Access Audit: Stakeholder Engagement

Dear Stakeholder,

The WESTERN CAPE GOVERNMENT (WCG), Department of Environmental Affairs and Development Planning (DEA&DP), has commissioned an audit of all historical, existing access points along the Garden Route Coastline where the public have, are and/or still wish to access the coast. This initiative is in support of the Garden Route District Municipality and gives effect to the Provincial and Municipal Coastal Management Programmes as well as the Provincial Coastal Access Strategy and Plan. The Directorate: Biodiversity and Coastal Management cordially invite interested and affected parties to participate in this initiative by registering as stakeholders in the process and providing information regarding the location and extent of such public coastal access points. Further background information can be obtained in the attached document.

Geagte Belanghebbende Party,

Die WES-KAAPSE REGERING (WKR), Departement van Omgewingsake en Ontwikkelingsbeplanning (DOS & OB) het opdrag gegee dat 'n oudit gedoen word van alle historiese, bestaande toegangspunte langs die Tuinroete-kuslyn waar die publiek toegang tot die kus het. Hierdie inisiatief is ter ondersteuning van die Tuinroete Distriksmunisipaliteit en gee uitvoering aan die Provinsiale en Munisipale Kusbestuursprogramme asook die Provinsiale Kustoegangstrategie en -plan. Die Direkoraat: Biodiversiteit en Kusbestuur nooi belangstellende en geaffekteerde partye hartlik uit om deel te neem aan hierdie inisiatief deur te registreer as belanghebbende partye en ook deur inligting oor die ligging en omvang van sodanige openbare kustoegangspunte aan die projekspan te verskaf. Addisionele inligting insake die proses kan verkry word in die aangehegte dokument.

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7975

COASTAL ACCESS AUDIT (Zietsman)

Departement van Omgewingsake en Ontwikkelingsbeplanning, Wes-Kaap Regering
Verwysing: Royal Haskoning DHV Ref: MD 2368 Authority Ref: EADP 1/2016

12 Julie 2018

Vir aandag: Mnr P Van Zyl

Per e-pos: Pieter.vanZyl@westerncape.gov.za

Cc: coastal.enquiries@westerncape.gov.za (Saa-rah Adama)

Rafeegah.alexander@rhdhv.com (Rafeegah Alexander)

jessica.christie@westerncape.gov.za (Jessica Christie)

KOMMENTAAR: OUDIT MBT TOEGANG TOT DIE KUS VIR DIE EDENDISTRIK – MAART 2018

Namens die trustees van die Middelpunt Trust lewer ek graag soos volg kommentaar op genoemde ouditverslag met betrekking tot see-eiendom in besit van genoemde Trust. Sien meegaande kaart ter ondersteuning van ons posisie.

1. Gedeelte A is reeds in 1913 deur ene Paul Zietsman gekoop en die eiendom is op 28-07-2013 op sy naam oorgedra. Die gedeelte is dus reeds 105 jaar in die Zietsman's se besit.
2. Gedeelte B is op 31-08-1954 deur ene Willie Zietsman aangekoop. Die gedeelte was vir 52 jaar die eiendom van die Zietsmanfamilie totdat hierdie gedeelte in 2006 verkoop is.
3. Gedeeltes A en B het onder die Zietsmanfamilie as die "Duine" bekend gestaan.
4. Gedeeltes A en B was van meet af 'n aktiewe boerderyonderneming ter ondersteuning en aanvullend tot die primêre boerderyeenheid van die Zietsmanfamilie op die plaas Middelpunt/Voëlvlei aan die oostekant van die nabygeleë Gouritzrivier. Op genoemde gedeeltes A en B is daar met skape en beeste geboer. Die jare wanneer die reënval goed was, is daar ook gesaa. Verder is die natuurlike riet op die grond gereeld ge-oes. In belang van die boerdery is die eiendom (gedeeltes A en B) omhein. Plaashekke was altyd toegehou en waar nodig gesluit. Die publiek het dus **NIE** toegang tot die kus gehad **NIE**.
5. Die vorige pad tussen Gouritzmond en Stilbaai het bykans 'n kilometer vanaf die kus oor gedeeltes A en B geloop. Hierdie pad (Ondergeskiktepad 299) is egter reeds in 1989 finaal gesluit en gedeproklameer aldus Proklamasie PK 104/1989. Geliewe daarop te let dat genoemde pad ver van die kus af oor die Zietsmanfamilie se grond geloop het en derhalwe **NIE** aan die publiek toegang tot die kus op genoemde gedeeltes gegee het **NIE**.
6. In al die jare (sien punt 1 en 2 hierbo) was daar **NOOIT** enige sprake van openbare toegang tot die kus aan die hand van enige bestaande openbare pad van watter aard ook al **NIE**. Dit is tot vandag toe steeds so op gedeelte A asook op gedeelte B wat sedert 2006 aan 'n nuwe eienaar behoort.
7. Die Zietsmanfamilie is trots om te noem dat hulle oor geslagte heen sensitief teenoor die ekosisteem en marinebronne was. Neem ook kennis dat genoemde gedeeltes A en B op 18-10-1991 in die Provinsiale Gasette 4719 tot private natuurreservaat verklaar is. Die naam "De Duine Private Natuurreservaat" is daaraan toegewys.

Appendix 2 mm: email from P Todd dated 25 August 2019

Erik Botha

From: Peter Todd <petergtodd@gmail.com>
Sent: Sunday, August 25, 2019 12:57 PM
To: Erik Botha
Cc: Grant Mackintosh; Jenny Todd
Subject: Garden Route Coastal Access Audit

Hi Erik

Assuming you are the same Erik Botha from the Forbes days, it is a small world indeed to see you are now managing the above Coastal Access Audit. I trust you are well.

Our family owns one of the sections, which from your map looks like Sti 18 and the farm name is Vergaderingskop. We have owned that piece of land for more than 30 years and we can certainly assist you in filling in some of the gaps. I am not sure how you have conducted the research, specifically how you determine the topography. We know that stretch of coast from our land all the way to Stilbaai, like the back of a hand, so if you have any questions you are most welcome to call me.

It would be great to catch up and hear more about the process and objectives. I won't be able to make the public engagement on the 6th, but hopefully our part owner will as they will be down there over that time.

Regards
Peter

--
Peter Todd
+27 796953318 (m)18

Appendix 2 nn: email from RE Jacobs dated 28 Aug 2019

Erik Botha

From: Roelf E. Jacobs <roelfe@gmail.com>
Sent: Wednesday, August 28, 2019 3:50 PM
To: Erik Botha
Subject: Re: Garden Route Coastal Access Audit: Stakeholder Engagement Process
Attachments: coatal report.docx

Dear Mr Botha,

Please find attached my comments on the Coastal Access.

I have a few other comments why does the report only cover such a small part of the coast and will your findings eventually be implementable on the total Western Cape Coastline?

When reference is made to historical access how far do we go back and was it before the advent of 4 x 4 vehicles or motorised vehicles ie access by pedestrians?

What I sincerely hope will be included in your report is the population growth in the area referred to where historically everyone knew each other which is no longer the case The safety situation on farms and should be a major consideration and landowners safety must be guaranteed.

May i wish you all the best in the compiling of the report.

R Jacobs

On Wed, Aug 21, 2019 at 12:39 PM Erik Botha <erik@erikbotha.co.za> wrote:

Dear Stakeholder,

We have now completed our initial survey of the Garden Route coastline. These results of this survey have been captured in a series of tables and annotated on Google Earth. The results were then subjected to review by the Authorities. We now request that stakeholders provide us with their inputs and comments on the results, via e-mail. The following link will take you to a presentation containing information regarding this process as well as the tables and Google Earth files of the areas: (PLEASE READ THE PRESENTATION BEFORE TRYING TO ACCESS THE SURVEY RESULTS). Should you experience difficulty with accessing the information using the link referred to below, please follow the instructions in the attached document.

<https://drive.google.com/open?id=1mxcwalijAgfW-mufh9cilCOR-CbDLLDKV>

We request that all inputs and comments reach us by no later than 30 September 2019 please.

Geagte Belanghebbende Party,

Ons het die aanvanklike opname van die studiearea nou voltooi. Die resultate van die opname is in 'n reeks tabelle vervat en ook op Google Earth ge-annotateer. Hierdie resultate is deur die Owerhede hersien. Ons versoek nou dat Belangebbende Partye ons via e-pos voorsien van hulle kommentaar en insette rakende die resultate. Die volgende skakel sal u na 'n voorlegging insake die proses sowel as die tabelle en Google Earth inhoud neem: (LEES ASSEMBLIEF EERS DIE VOORLEGGING VOORDAT U DIE OPNAME RESULTATE PROBEER OOPMAAK). Indien u probleme ondervind

met die skakel en die proses om inligting daardeur te bekom, volg asseblief die instruksies in die aangehegte dokument.

<https://drive.google.com/open?id=1mxcwaljAgfW-mufh9cilCOR-CbDLDKV>

Ons versoek dat alle insette en kommentaar ons asseblief nie later as 30 September 2019 bereik nie.

ERIK BOTHA

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15 Brigantine Avenue

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Fish Hoek

7975

I am R.E Jacobs owner of ROANJA farm 672 and part owner of farm 469 the comments below covers the area west of Groenkant and includes the area of Driefontein.

- 1) The report refers to an "audit" of coastal access however in our area none of the present land owners with coastal property were approached for comment.
- 2) When referring to historical access how far back in history does the report go is it 20 ,50 or 100 years ? Taking in account that the claim is that historical access is denied to present day people that claim they were able to previously access the coastal areas is it safe to assume that historical access refers to 50 years or less?
- 3) My neighbour (Driefontein) is 70 years old and grew up in the area and his family owned coastal property dating back at least 100 years and he confirms that there was in our area never free coastal access but that farm owners gave permission to certain fishermen they knew and trust to access the coast mainly to fish. Refer also to the memories of Mr Hannes Conradie which was put on paper in 1997 he was born in 1929 and he states his memories dates back to 1935 , I want to quote one paragraph " Die Oostuizen broers het vriende na die strand genooi ,byvoorbeeld mense van die afdelingsraad,of die meule op Albertinia of Munisipaliteit."This was in the times before most of the larger farms were divided up and sold of. From his memoirs it is clear that coastal access were restricted to friends on an invitation basis
- 4) I have lived in the area for 12 years and from information I got from discussions with other farm owners they also confirm that there were never in our area free uncontrolled coastal access. There were farm owners that charged a fee for access through their property to a select number of people that they knew.
- 5) The coastal access is an emotional issue and not based on facts, furthermore some of the claimants are people that previously owned coastal land which they sold thereby losing the access they had before. Refer to the expensive court case relating to Access at Groenkant where the same emotional claims were made which were not proven in court and the claimants ended up having to pay the total cost of the case..
- 6) One should also take into account that the population in the Southern Cape has increased exponentially and it is no longer a small farming community.
- 7) It is a fact that the safety situation on farms is very bad and one have to take cognisance of the number of farm murders that take place every year to see why farm owners would be reluctant to allow access through their property
- 8) The report does not state how land owners property and lives would be safeguarded should access routes be allowed through their properties.
- 9) The present land owners in our area are all involved in protecting our natural coastal resources. In our area we had in the past for example people that collect large numbers of "Alikreukel" for own consumption and for resale to townfolk in Albertinia. We have in our area been able to stop this illegal practise. By allowing free access the coast will be stripped of its natural resources in a very short period.
- 10) Looking at the crime statistics in South Africa it is clear that our law enforcement officials are not coping do we now want to make their task more difficult by increasing the areas they would have to control?
- 11) Safety would have to be of prime importance. In the Bloukrans, Driefontein area we have had at least three deaths two by drowning in the last twenty years ,this highlights how dangerous parts of our coast are.
- 12) Considering the many areas where there is a need to invest funds for example Housing, Schools, Roads etc coastal access for recreational purposes should be very low on the list of

priorities of the municipality. At present access is well catered for in the Stilbaai, Jongensfontein Gouritz area.

R.E. Jacobs August 2019

0826519082

Appendix 2 oo: Individual feedback forms from Mossel Bay

Coastal Access Audit Stakeholder Input

1. General Information

| | | | |
|---|-----------|---|--|
| Your name | | Yvonne Fourie (Wolke) | |
| The organisation you represent (if any) | | PRIVATE : | |
| How can we contact you? | Cell? | 082 3027498 | |
| | Landline? | None | |
| | Email? | wolke.fourie.wolke@gmail.com | |
| In which area do you live? | | HARTENBOS | |
| Which beach/ access point are you referring to? (What is it called or where is it located?) | | DEER STRAAT, DANABAAI NAUTILUS BAY AND SPRINGER BAY. | |

2. What do you do there? Please tick the boxes (please write any comments in the spaces provided)

| Activity | ✓ | Comments |
|-------------------------------------|---|----------|
| Swimming | ✓ | |
| Fishing (recreational) | ✓ | |
| Fishing (subsistence) | | |
| Fishing (commercial) | | |
| Walking | ✓ | |
| Bird-watching | | |
| Dog walking | ✓ | |
| Horse walking | | |
| Cultural | | |
| Religious | | |
| Heritage | | |
| Viewing | ✓ | |
| Camping/ accommodation | | |
| ORV (off-road vehicle) | | |
| Boat launching | | |
| Access for people with disabilities | | |
| Other | | |

3. What changes or improvements do you want to see there? Please list them below

| |
|--|
| 1. Needs open access to Dumfries - Third Beach. |
| 2. No harassment by Society when fishing |
| 3. Don't give only six vehicles access and the rest will be refused. |
| 4. Be preventative in access of beaches. Not after developed. |
| 5. Identify access routes and rules before developments. |
| 6. Don't sell out the citizens of this country. Respect |
| 7. Access to Nautilus and Springs Bay. It is a no go area for anglers. |

4. Are there any coastal access sites or areas that you or your community used to use but can no longer?

| | |
|--|--|
| Where was the site or what is/ was it called? | |
| What did you use it for? | |
| Why can you not use it anymore? | |
| Do you have any background to the problem that we should know? | |

Coastal Access Audit Stakeholder Input

1. General Information

| | | |
|---|-----------|---|
| Your name | | ANTHONY EVERISE |
| The organisation you represent (if any) | | PRIVATE |
| How can we contact you? | Cell? | 072 150 39 64 |
| | Landline? | — |
| | Email? | — |
| In which area do you live? | | MOSSIEL BAY |
| Which beach/ access point are you referring to? (What is it called or where is it located?) | | NAUTILUS, SPRINGER BAY, FISHERMAN'S VILLAGE, VLEES BAY. |

2. What do you do there? Please tick the boxes (please write any comments in the spaces provided)

| Activity | ✓ | Comments |
|-------------------------------------|---|----------|
| Swimming | | |
| Fishing (recreational) | ✓ | |
| Fishing (subsistence) | | |
| Fishing (commercial) | | |
| Walking | | |
| Bird-watching | | |
| Dog walking | | |
| Horse walking | | |
| Cultural | | |
| Religious | | |
| Heritage | | |
| Viewing | | |
| Camping/ accommodation | | |
| ORV (off-road vehicle) | | |
| Boat launching | | |
| Access for people with disabilities | | |
| Other | | |

3. What changes or improvements do you want to see there? Please list them below

① ACCESS TO NAUTILUS AND SPRINGER BAY IS TOTALLY A "NO GO". ANCHORS ARE FORCED TO WALK FROM DANABAY TO THIS AREA, IT TOOK SOME TIME BECAUSE IT IS FAR. (SOME ANCHORS ARE OLD / OTHER CONDITIONS

② ACCESS TO FISHERMAN'S VILLAGE IS AVAILABLE TO REACH THIRD BEACH AND "PALATIES", BUT SOMETIMES ANCHORS ARE NOT ALLOWED TO ENTER BECAUSE OF THE LIMITATION OF VEHICLES.

4. Are there any coastal access sites or areas that you or your community used to use but can no longer?

| | |
|--|--|
| Where was the site or what is/ was it called? | |
| What did you use it for? | |
| Why can you not use it anymore? | |
| Do you have any background to the problem that we should know? | |

Coastal Access Audit Stakeholder Input

1. General Information

| | | |
|---|-----------|--------------------------|
| Your name | | Johan Skimp |
| The organisation you represent (if any) | | Private |
| How can we contact you? | Cell? | 083 591 8218 |
| | Landline? | - |
| | Email? | - |
| In which area do you live? | | of Mossel Bay |
| Which beach/ access point are you referring to? (What is it called or where is it located?) | | Nauticas Springer Bay |

2. What do you do there? Please tick the boxes (please write any comments in the spaces provided)

| Activity | ✓ | Comments |
|-------------------------------------|---|----------|
| Swimming | | |
| Fishing (recreational) | ✓ | |
| Fishing (subsistence) | | |
| Fishing (commercial) | | |
| Walking | | |
| Bird-watching | | |
| Dog walking | ✓ | |
| Horse walking | | |
| Cultural | | |
| Religious | | |
| Heritage | | |
| Viewing | | |
| Camping/ accommodation | | |
| ORV (off-road vehicle) | | |
| Boat launching | | |
| Access for people with disabilities | | |
| Other | | |

3. What changes or improvements do you want to see there? Please list them below

| |
|-------------------------------------|
| No access to Nautilus + Spingoo Bay |
| |
| |
| |
| |
| |
| |
| |
| |
| |
| |

4. Are there any coastal access sites or areas that you or your community used to use but can no longer?

| | |
|--|--|
| Where was the site or what is/ was it called? | |
| What did you use it for? | |
| Why can you not use it anymore? | |
| Do you have any background to the problem that we should know? | |

Coastal Access Audit Stakeholder Input

1. General Information

| | | |
|---|-----------|--|
| Your name | | CAROLAM BRUNNERS |
| The organisation you represent (if any) | | |
| How can we contact you? | Cell? | 0742698044 |
| | Landline? | |
| | Email? | |
| In which area do you live? | | MOSSLEBOM / HEIDERANDT |
| Which beach/ access point are you referring to? (What is it called or where is it located?) | | BETWEEN PINNACLE POINT & MOSSLEBOM WE NEEDED ACCESS TO ANGLING SPOTS NOW FENCED OFF |

2. What do you do there? Please tick the boxes (please write any comments in the spaces provided)

| Activity | <input checked="" type="checkbox"/> | Comments |
|-------------------------------------|-------------------------------------|----------|
| Swimming | <input checked="" type="checkbox"/> | |
| Fishing (recreational) | <input checked="" type="checkbox"/> | |
| Fishing (subsistence) | <input checked="" type="checkbox"/> | |
| Fishing (commercial) | | |
| Walking | <input checked="" type="checkbox"/> | |
| Bird-watching | <input checked="" type="checkbox"/> | |
| Dog walking | <input checked="" type="checkbox"/> | |
| Horse walking | | |
| Cultural | <input checked="" type="checkbox"/> | |
| Religious | | |
| Heritage | | |
| Viewing | <input checked="" type="checkbox"/> | |
| Camping/ accommodation | <input checked="" type="checkbox"/> | |
| ORV (off-road vehicle) | | |
| Boat launching | | |
| Access for people with disabilities | <input checked="" type="checkbox"/> | |
| Other | | |

3. What changes or improvements do you want to see there? Please list them below

| |
|---|
| AREA BETWEEN PINNACLE POINT |
| CHOFF COURSE AND DAM ^{TO ESSENHOUT ST HEIGHTS} FOOTPATH WAS |
| LEADING DOWN CLIFFS TO FISHING SPOTS |
| NOW FENCED/BLOCKED OFF NO ACCESS |
| AS THERE WAS A GATE FORMERLY IN |
| PAST ALONG FENCE DOWN TO CLIFF SHORE |
| |
| |
| |
| |

4. Are there any coastal access sites or areas that you or your community used to use but can no longer?

YES

| | |
|--|--|
| Where was the site or what is/ was it called? | PINNACLE POINT OF MOSI = BLOMBOS |
| What did you use it for? | FISHING AND SWIMMING OVERNIGHT CAMPING S |
| Why can you not use it anymore? | GATE CLOSE FENCE ERECTED |
| Do you have any background to the problem that we should know? | AS CHILDREN & GRAND PARENTS PARENTS & COMMUNITIES CAMPING SINCE MANY YEARS IN PAST = <u>TRADITION</u> |

KUSTOEGANG OUDIT

TERUGVOER BLAD

1. Algemene Inligting

| | | |
|---|----------|-------------------------------|
| U naam | | CHRISTOPHER KANNEMOYER |
| Die organisasie wat u verteenwoordig (indien enige) | | |
| Hoe kan ons u kontak? | Selfoon? | 072 333 6279 |
| | Landlyn? | |
| | E-pos? | |
| In watter area is u woonagting? | | ASLA PARK Mossa Baai |
| Watter strand/ toegangspunt verwys u na? (Wat word dit genoem en waar is dit geleë) | | Pinnacle Point — Beggons Baai |

2. Waarvoor gebruik u die betrokke area? Merk asseblief die ooreenstemmende blok (lewer asseblief kommentaar in die kolom daarvoor voorsien).

| Aktiwiteit | ✓ | Kommentaar |
|---------------------------------|---|------------|
| Swem | | |
| Hengel (sport) | | |
| Hengel (bestaans) | ✓ | |
| Hengel (kommersieël) | | |
| Stap / wandelpaaië | | |
| Voëlwaarneming | | |
| Met honde stap | | |
| Perdry | | |
| Kultuur-histories | | |
| Geloofs doeleindes | | |
| Erfenis | | |
| Uitsig | | |
| Kampeër | | |
| Veldvoertuie (off-road vehicle) | | |
| Boot tewaterlating | | |
| Toegang vir gestremdes | | |
| Ander | | |

3. Watter verbeterings of veranderings sou u hier wou sien? Lys asseblief hieronder.

| |
|--|
| 1. BETER TOEGANGS PAAIE |
| 2. LANGER HONDEUR |
| 3. INLIGTING WAT TOEGELAAT WORD EN WAT NIE D.M.V. BORSSE WAT DIT AANDAI IN PLAAS VAN IEMANS AT WAT DIT SE ^A B.V. SEKURITEIT. |
| |
| |
| |
| |

4. Is daar enige kustoegangpunte of terreine waar u of u gemeenskap in die verlede toegang tot gehad het waar sulke toegang nou verhoed word?

| | |
|---|--|
| Waar was die toegangspunt en wat was dit genoem? | |
| Waarvoor het u dit gebruik? | |
| Waarom kan u dit nie meer gebruik nie? | |
| Het u enige agtergrond / inligting oor die probleem waarvan ons moet kennis neem? | |

Appendix 2 pp: Group feedback- Vermaaklikheid

Probleme!

- ① Die Toegangspunte van die geskiedenis wat ontnem is van die gemeenskap.
- Die gemeenskap het gehad maar van die toegangspunte ~~het~~ is weg geneem.
 - Die gemeenskap het nie geriewe om die rivier en see te gebruik nie.

~~1. Ons gemeenskap verlang om~~

- Ons agter geblye gemeenskap verlang om toegang te hê tot die rivier en kusgebiede wat van ons ontnem is, wat daar was voortyd.

- Op die oomblik kan ons nie met ons ~~gene~~ familie gaan ontspan langs die rivier en die kus nie, as gevolg van geen toegangspunte nie.

~~Ons betree op die oomblik:~~

Historiese Toegangs Punte

- Wandel paadjie langs die rivier op die hoogwater merk is gestop ~~toeg~~ toe gemaak, deur privaat grondeerders.

- Puntjie het in toegangs punt gehel, maar ~~toegang~~ is weg geneem deur die Puntjie gemeenskap.

Voorstelle

* Vermaaklike gemeenskap verlang na in. ~~kamp~~ ~~terrein~~ kamp terrein ~~as~~ om vir ~~50~~ 50 mense ~~te~~ huis te gaan kamp op 'n slag.

- Op die oomblik betree ons die rivier op 'n ontwettige manier. ~~At~~ Ons het al ons nodige dokumente om die rivier en kusgebiede te betree.

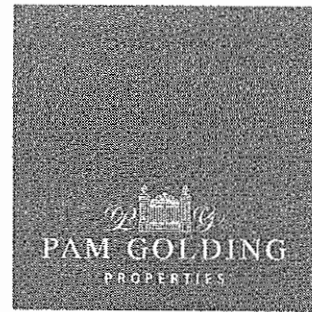
- Privaat grondeieners ~~weier~~ weier om ons as gemeenskap om voor hulle eiendomme op die hoogwatermerk verby te loop.

- Ons as gemeenskap verlang om ons toegang by Puntjie terug te kry, want ons het al die tyd toegang gehad, maar dit is ~~out~~ nou ontnem.

- ~~Van~~ Die gemeenskap het op die oomblik 'n "slipway" "Vermaaklikheid Slipway" maar as gevolg van privaat eiendomme en geen ~~rivier~~ riviergeriewe kan ons nie verder ~~of~~ ~~is~~ beweeg of of langs die rivier nie.

Ons as 'n agter geblye gemeenskap, mag ons nie
Puntjie as 'n ~~kas~~ historiese ~~monne~~ Monument
besoek nie. Ons as Vermaaklikheid gemeenskap
het ter selfde tyd toegang tot puntjie, en
~~die~~ kas toegang gehad.

Appendix 2 qq: Documentation submitted in support for historic agreements for access via Fisherman's Village and Nautilus



An International
Associate of Savills savills

86 Bland Street, Mossel Bay, South Africa • P O Box 721, MOSSEL BAY, 6500, South Africa
Tel +27-44-6913 844 • Fax +27-44-690 7424 • email: mosselbay@pamgolding.co.za

5 October 2018

**ATTENTION: DOUW STEYN
MOSSEL BAY MUNICIPALITY – LEGAL DIVISION**

By email: clewis@mosselbay.gov.za

Dear Sir,

ACCESS TO THIRD BEACH VIA FISHERMAN'S VILLAGE – DANA BAY

I hereby acknowledge receipt of your letter and confirm the following as per our discussion and meeting of today's date relating **specifically** to the competition tonight and tomorrow morning. Please note that this is not a general ruling for future reference, but purely related to the competition in question.

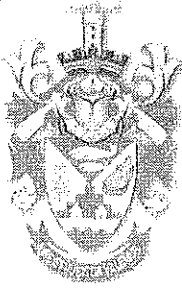
- 6 cars will be allowed in (fishing permits mandatory)
- Fishermen can gain access until 6pm tonight. If someone arrives after 6pm, they must park outside the gate, and call a friend who is parked inside already to collect them at the gate. No walking through the estate at any time please. All persons entering must have fishing licenses.
- No fires permitted
- No alcohol permitted
- The matter of the public road was briefly discussed and it was agreed that this matter would be addressed at a later date.

I trust that you will make the above points very clear to the Fishermen, as these are the conditions upon which we agree for this access to be granted.

Thank you,

Sincerely

Keith Murray
ESTATE MANAGER
Fisherman's Village – Dana Bay



MOSSEL BAY MUNICIPALITY
MOSSELBAAI MUNISIPALITEIT
UMASIPALA MOSSEL BAYI

Tel, Imfonomfono: +27 (44) 606 5000
Fax, ifeksi: +27 (44) 606 5062
e-mail: admin@mosselbay.gov.za
web: www.mosselbay.gov.za

In antwoord verwys na nommer
In reply quote number
Xa Uphendula chaza Le Nomboto

15/4/16/1/3 D Steyn

05 October 2018

Pam Golding Properties
Mossel Bay

Attention: Mr. Keith Murray

Per email: Carlene.amos@pamgolding.co.za
carlene.blom@pamgolding.co.za

cc: executive@webafrica.org.za
statusmark1@status-mark.co.za
statusmark2@status-mark.co.za

Dear Sir

ACCESS TO THIRD BEACH VIA FISHERMANN'S VILLAGE

Our telephone conversation and meeting on 5 October 2018 refers.

It is herewith confirmed that controlled access to fishermen to third beach will be allowed by your security personnel, especially for purposes of the competition being held this weekend.

You are also reminded that the Remainder of Erf 14795 is a public road.

Your co-operation in this regard is appreciated.

Yours faithfully


D.G. STEYN
LEGAL ADVISOR

101 Marshstraat | Street | Sitalato 101
Privaatsak | Private Bag | Ingxowa Yeposi Ngu X29
Mosselbaai | Mossel Bay | Bayi 6500

Stuart P... 28 Oct 11 4:47

RULES FOR FISHING ON NAUTILUS BAY PHASE 3
FARM DOORNFONTEIN

- 1. NO PERSON MAY ON THE PREMISES BETWEEN 6PM AND 6AM**
- 2. ONLY CLUB MEMBERS WILL BE PERMITTED** No friends and family
- 3. ONLY TWO (2) VEHICLES MAY BE ON THE PREMISES AT ANY GIVEN TIME**
- 4. MAXIMUM OF 6 PEOPLE FISHING AT ONE TIME**
- 5. IF ANY PERSON LITTERS ON THESE PREMISES THEY WILL BE BANNED FOR LIFE**
- 6. ANY PERSON LIGHTING FIRES OR THROWING CIGARETTE BUT FROM A WINDOW WILL BE PROSECUTED BY LAW**
- 7. IT IS THE CLUBS RESPONSIBILITY TO ENSURE THAT ALL FISHERMEN HAVE A VALID FISHING LICENSE**
- 8. NO ONE MAY GIVE AN OTHER PERSON THE CODE FOR THE GATE IN SUCH A CASE THE CLUB WILL BE BANNED FROM FISHING AT THIS VENUE.**
- 9. ALL DEBRIS MUST BE REMOVE (FISHING TACKLE) A SEE BIRD HAS BEEN TANGLED UP IN OLD FISHING LINE ON THIS COAST LINE**
- 10. ALL PERSON TO REPORT OR TO CALL BEFORE ENTERING THIS VENUE**

ALL PERSONS ENTERING THIS VENUE DO SO AT THEIR OWN RISK AND THE OWNERS AND MANAGEMENT WILL NOT BE HELD RESPONSIBLE FOR ANY LOSSES OR DAMAGES TO PERSON OR PROPERTY

CONTACT NUMBER: 0446977146 / 0834029643

083 741 0660

Mnr. D.G. Fortuin
Marlin Str. 61
Uitbreiding 13
MOSSELBAAI

11 November 2010

Die Burgermeesteres
Mosselbaai Munisipaliteit
Marsh Str.
MOSSELBAAI

(Me. M. Ferreira)

INSAKE : HENGEL TE NAUTILUS - BAAI

1. Graag wil ek deur middel van die brief die volgende onder u aandag bring :
2. Na vele onderhandelings, is ek deur Me. Schreuder van u Regsafdeling telefonies in kennis gestel oor die besluit om hengel by Nautilus-Baai te stop.
3. Slegs ge-organiseerde hengelaars wat aan die Mosselbaai Hengel-klub behoort, mag hengel te Nautilus-Baai. Mosselbaai Hengel-klub bestaan slegs uit blanke lede.
4. Hier word ons bruin en swart lede semier uitgesluit. Mag ons nie ons vryetyd geniet by die see nie ? Apartheid word hier oop en bloot toegepas. Ek glo nie u as Burgermeester kan dit in u dorp toelaat nie. Ons word net aangesien as misdadigers. Is apartheid dan nie al dood nie ? Ons bruin en swart gemeenskap betaal ook belasting in Mosselbaai. Waarom moet ons so behandel word ?
5. As daar gepraat word oor Nautilus-Baai, loop jy teen 'n muur vas. Die eienaar het ons gemeenskap toestemming gegee om daar te kom. Nou word vir my gesê daar is wilde diere op die grond. Toe Thomas geleef het, het ons oor die grond gegaan en nooit wilde diere gekry nie. Daar was ook nie probleme nie.
6. Asseblief Me. Ferreira, ons kan nie so aan ons neus rond gely word deur mense wat die see vir hulle wil toe-eien nie. Ek verlang, en ek glo die breë gemeenskap van Mosselbaai ook wil hê dat :

Key elements of the white paper for sustainable Coastal development in South Africa,
April 2000 our Coast, our future moet toepas.

HOEKOM MOET ONS SO SUKKEL ?

Die Voorsitter
Rots en Strand Hengel


.....
(D.G. FORTUIN)

**MOSSEL BAY MUNICIPALITY
MOSSELBAAI MUNISIPALITEIT
UMASIPALA MOSSEL BAYI**



In antwoord verwys na nommer
in reply quote number 15/4/42/5; 17/17/1/1/F Schröter
Xa Uphendula chaza Le Nombolo C 633153 (In)

6 Desember 2010

Mnr. D G Fortuin
Marlinstraat 61
Uitbreiding 13
MOSSELBAAI
6500

Meneer

HENGEL TE NAUTILUSBAAI

Ons erken ontvangs van u skrywe van 11 November 2010 en neem kennis van die inhoud daarvan.

Die feitelike situasie is, volgens ons kennis, as volg:

1. Hengel te Nautilusbaai is nie op hierdie stadium gestop nie, maar word hengelaars reeds 'n geruime tyd deur die eienaar verhoed om die strand te betree. Die Munisipaliteit het juis betrokke geraak in 'n poging om toegang te herverkry.
2. Die Suid-Kaap Hengelvereniging het, met die Munisipaliteit se tussenkoms, toegang tot Nautilusbaai Fase 1. Die toegang is egter beperk tot georganiseerde kompetisies en laat die huiseienaarsvereniging geen ander hengelaars toe nie.
3. Die Munisipaliteit dra geen kennis van wie lede is van hierdie vereniging nie, en vind u opmerkings ten opsigte van rasse bevoordeling onvanpas.
4. Die grond aangrensend aan die Nautilusbaai ontwikkeling, wat geormerk is vir ontwikkeling as Nautilusbaai Fase 2 en 3, is die eiendom van die ontwikkelaar. Die Munisipaliteit het net soos in die gevalle van Pinnacle Point en die Mosselbaai Golf Landgoed, gepoog om tussenbeide te tree ten einde toegang vir hengelaars te bekom met toestemming van die eienaars. Die Munisipaliteit is egter nie in 'n posisie om enige grondeienaar te verplig om toegang aan hengelaars te gee nie.
5. Die inligting ten opsigte van wilde diere het Me Schröter direk van die eienaar se agent verkry en is ons nie in 'n posisie om hierdie mededeling te bevraagteken nie.

Marshstraat 101
Privaatsak X29
Mosselbaai
6500

101 Marsh Street
Private Bag X29
Mossel Bay
6500

101 Marsh Sitalato
Ingxowa Yeposi Ngu X29
Mossel Bayi
6500

Tel, Imfonomfono: +27 (44) 606 5000
Fax, Ifeksi: +27 (44) 606 5062
e-mail: admin@mosselbaymun.co.za
web: www.mosselbaymun.co.za

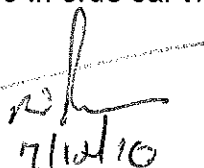


6. Hengelaars word volgens die Munisipaliteit se inligting nie op die grond toegelaat nie, en is u gemeenskap dus nie uitgesonder nie.

Sou die omstandighede verander, sal die Munisipaliteit bereid wees om weer betrokke te raak en met die eienaar te onderhandel oor toegang. Huidiglik is ons egter van mening dat die aangeleentheid daar gelaat moet word.

Daar word vertrou dat u dit so in orde sal vind.

Die uwe



Handwritten signature and date: 7/10/10

DIREKTEUR: KORPORATIEWE DIENSTE
mk

Kontak no. 083 7410 660
044 - 606 2807

Rots en Strand Hengel Vereniging
Mnr. D.G. Fortuin
Marlinstraat 61
Uitbreiding 13
MOSELBAAI


2010/01/07

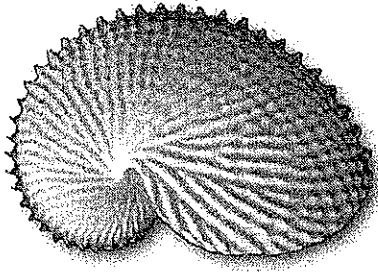
Die Munisipale Bestuurder
Mosselbaai Munisipaliteit
Marshstraat 101
MOSELBAAI

Insake : **KLAGTE TOT TOEGANG TOT DIE SEE TE
NAUTILUSBAAI.**

1. Deur hierdie wee wil ek 'n amptelike klagte by u indien oor die toegang tot die see deur Nautilusbaai.
2. In die jaar 2006, was ek deel van 'n vergadering wat te Golden Rondevoux gehou was met die eienaar, Mnr. Baard die eienaar van die grond te Nautilus en Mnr. Michael Karelse, wat die Voorsittende-beampte was.
3. Die eienaar van die grond het ons hengelaars toegang tot die see gegee deur Nautilus. Die toegang het goed verloop. Skielik is ons hengelaars verbied deur die Ontwikkelaars en moet ons 'n veldpad gebruik wat onmoontlik is om met 'n motorvoertuig te ry.
4. Daar bly ene Mev. Ann van Zyl op die grond van Nautilus wat nou die Estate Manager is wat dit vir ons hengelaars moeilik maak. Sy het 'n slot gedurende 2009 aan een van die hekke aangebring. Sy beweer dat die hengelaars die slot gebreek het. Ek het die manne opgespoor wat sy beweer die slot gebreek het, maar hulle beweer dat toe hulle daar was, die slot wel aan die hek was en hulle nie kon ingaan nie en omgedraai het.
5. Ek dink sy het self die slot gebreek, met die doel dat geen hengelaar daar moet inkom nie. Volgens Mnr. Van der Walt, wat ons toegang gegee het, mag daar geen slot aan die hek wees nie. Ek het met haar, Mev. Van Zyl, 'n vergadering gehad, maar sy wil glad nie hê die eienaar van die grond moet betrokke raak nie. So wat sê dit? Sy maak haar eie reëls.
6. Ek versoek dat die Munisipaliteit se Regs-afdeling die eienaar van die grond moet dagvaar sodat daar amptelik gesels kan word. Ek kan nie sien hoedat ons mense van die God gegewe see weggehou moet word nie.

By voorbaat dank.


.....Mnr.
(D.G. Fortuin)



Nautilus Bay Coastal Reserve

HOME OWNERS ASSOCIATION • HUISEIENAARSVERENIGING

Tel: +27 (0) 44 691 3054
Fax: +27 (0) 44 691 1520
E-mail: status1@status-mark.co.za
Website: www.nautilusbayhoa.co.za

Managing Agents: Statusmark
Contact Person: Renzke Moore

Nautilus Bay Home Owners Association
Portion 1 of Farm Klipfontein, No 344
District of Mossel Bay
PO Box 567, Mossel Bay, 6500

Mnr Eddie Kruger
Mosselbaai Munisipaliteit
Posbus 25
MOSSELBAAI
6500

U verwysing: Mnr E Kruger

Datum: 18 April 2018

Geagte Mnr Kruger,

NAVRAAG RAKENDE TOEGANG OOR NAUTILUSBAAI EIENDOM

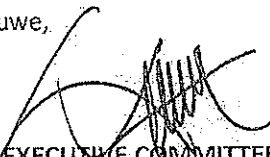
Ek verwys na u navraag aangaande 'n versoek om toegang te verleen aan vissermanne tot die Nautilusbaai strandgebied oor die eiendom van die Nautilusbaai-Huiseienaarsvereniging (HEV).

Dit is ter aanvang nodig om op rekord te plaas dat die HEV regtens geen beswaar daarteen het dat die Nautilusbaai strandgebied deur enige lid van die publiek gebruik kan word nie. Die deurgang vir hierdie doel oor die HEV eiendom is egter problematies, veral vanuit 'n sekuriteitsoogpunt. Weens die aard van die Nautilusbaai ontwikkeling, word die huise nie deurgaans bewoon nie. Die bestaande sekuriteitsprotokol is gefokus op gekontroleerde toegang deur eienaars en hulle gevolmagtigdes alleenlik. Die ongebeleide deurgang vir die publiek van en na die strandgebied verhoog die sekuriteitsrisiko aansienlik en noodsaak addisionele maatreëls en personeel waarvoor nie begroot is nie.

Dit is gevolglik die besluit van die Uitvoerende Komitee dat daar nie aan hierdie versoek voldoen kan word nie.

Indien u enige verdere voorstelle in die verband het, sal ons dit oorweeg binne die raamwerk van die Komitee se mandaat en hulpbronne.

Die uwe,


THE EXECUTIVE COMMITTEE
NAUTILUS BAY COASTAL RESERVE

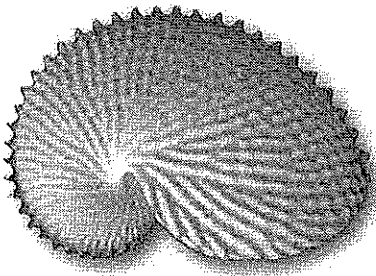
HOME OWNERS ASSOCIATION EXECUTIVE COMMITTEE MEMBERS:

| | | |
|-------------------------|--------------|------------------------|
| Jaco Lotter (Chairman): | 083 600 4903 | jaco@tcinc.co.za |
| Johann van Deventer | 083 656 6997 | johann@8nautilus.co.za |
| Rudj van Graan | 082 445 3598 | rudi@technochair.co.za |
| Kobus Steyn | 081 586 4848 | kobussteyn24@gmail.com |
| Rene Hodges | 082 341 0582 | rrhodges37@gmail.com |

ESTATE MANAGER:

Anton van der Westhuizen
083 601 2831
antonvdw57@gmail.com

Office hours: 07h30 to 17h30



Nautilus Bay Coastal Reserve

HOME OWNERS ASSOCIATION • HUISEIENAARSVERENIGING

Tel: +27 (0) 44 691 3054
Fax: +27 (0) 44 691 1520
E-mail: status1@status-mark.co.za
Website: www.nautilusbayhoa.co.za

Managing Agents: Statusmark
Contact Person: Renzke Moore

Nautilus Bay Home Owners Association
Portion 1 of Farm Klipfontein, No 344
District of Mossel Bay
PO Box 567, Mossel Bay, 6500

Mnr Eddie Kruger
Mosselbaai Munisipaliteit
Posbus 25
MOSSELBAAI
6500

U verwysing: Mnr E Kruger

Datum: 18 April 2018

Geagte Mnr Kruger,

NAVRAAG RAKENDE TOEGANG OOR NAUTILUSBAAI EIENDOM

Ek verwys na u navraag aangaande 'n versoek om toegang te verleen aan vissermanne tot die Nautilusbaai strandgebied oor die eiendom van die Nautilusbaai Huiseienaarsvereniging (HEV).

Dit is ter aanvang nodig om op rekord te plaas dat die HEV regtens geen beswaar daarteen het dat die Nautilusbaai strandgebied deur enige lid van die publiek gebruik kan word nie. Die deurgang vir hierdie doel oor die HEV eiendom is egter problematies, veral vanuit 'n sekuriteitsoogpunt. Weens die aard van die Nautilusbaai ontwikkeling, word die huise nie deurgaans bewoon nie. Die bestaande sekuriteitsprotokol is gefokus op gekontroleerde toegang deur eienaars en hulle gevolmagtigdes alleenlik. Die ongebeleide deurgang vir die publiek van en na die strandgebied verhoog die sekuriteitsrisiko aansienlik en noodsaak addisionele maatreëls en personeel waarvoor nie begroot is nie.

Dit is gevolglik die besluit van die Uitvoerende Komitee dat daar nie aan hierdie versoek voldoen kan word nie.

Indien u enige verdere voorstelle in die verband het, sal ons dit oorweeg binne die raamwerk van die Komitee se mandaat en hulpbronne.

Die uwe,


THE EXECUTIVE COMMITTEE
NAUTILUS BAY COASTAL RESERVE

Kobus Steyn
Dinsdag 09:00

HOME OWNERS ASSOCIATION EXECUTIVE COMMITTEE MEMBERS:

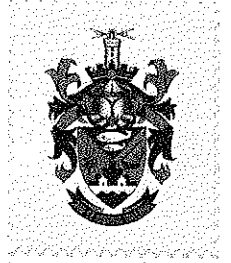
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| Rene Hodges | 082 341 0582 | rrhodges37@gmail.com |

ESTATE MANAGER:

Anton van der Westhuizen
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antonvdw57@gmail.com

Office hours: 07h30 to 17h30

MOSSEL BAY MUNICIPALITY
MOSSELBAAI MUNISIPALITEIT
UMASIPALA MOSSEL BAYI



In antwoord verwys na nommer
In reply quote number
Xa Uphendula chaza Le Nombolo

15/4/16/1/2; x15/4/16/1/5/JA van Zyl

6 Oktober 2006

Mnr. L.H. Prins
Randstraat 8
New Hope Town
DA GAMASKOP
6501

Meneer

TOEGANG VIR HENGEL: FISHERMAN'S VILLAGE

Na aanleiding van die vergadering wat gehou was op 11 September 2006 in die D'Almeida gemeenskapsaal heg ek hierby 'n skrywe van die Fisherman's Village Beheerliggaam ter bevestiging van die reeds bestaande reëling met u klub.

Die uwe


nms DIREKTEUR: GEMEENSKAPSDIENSTE

/LvS

Marshstraat 101
Privaatsak X29
Mosselbaai
6500

101 Marsh Street
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101 Marsh Sitalato
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Tel +27-44-6913 844 • Fax +27-44-690 7424 • email: mosselbay@pamgolding.co.za

13 September 2006

Mr Colin Puren
Director of Community Services
Mossel Bay Municipality
Marsh Street
MOSSEL BAY
6500

Dear Sir,

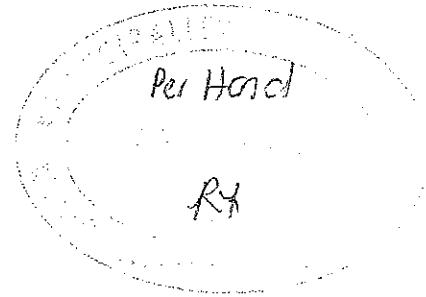
Access through Fisherman's Village, Dana Bay

We refer to the meeting held by the municipality and the Rock and Surf Angling Club on 12 September 2006 at the D'Almeida Hall.

It was agreed that all cardholding members of the above angling club, who are in possession of a valid fishing permit, will be allowed access to 3rd Beach, Dana Bay through the Fisherman's Village security gate from 6am daily.

Yours faithfully

Keith Murray
(for and on behalf of FISHERMAN'S VILLAGE HOME OWNERS ASSOCIATION)



SCAN 06-09-26 0844
COLLAB 5387.
FILE 15/4/16/1/2
15/4/16/1/5

Beswaarde hengelaars komitee
Vergadering gehou op 24 Oktober 2005

Teenwoordig

James Groenewald

Daniel Fortuin

Terence Taylor

Donovan Michael

Lu-Hein Prins

Eddie Meyer

Besprekings punte:

1) Gwanagat ✓

2) Blombos ✓

3) Cecil Shepherd straat / Mosselbaai Golfklub ✓

4) Grootkloof ✓

5) Paradise ✓

6) Nuatilus Bay ✓

Die moontlikheid van Gouritzmond

Moontlike geriewe wat aangebring kan word.

1) By soutgat

2) Die draad

3) Gwanagat

Die aanbring van trappe word onder andere genoem.

Self 'n deurgang kaart uitsluitlik vir hengelaars

Griewe

1) Die draad oor die wandelpad moet verwyder word

2) Impak studie moet weereens gedoen word om te of bepaal of ontwikkelaars by voorwaardes gehou het.

3) Alle sandwalle by hengelgebiede moet verwyder word.

MOSSEL BAY MUNICIPALITY
MOSSELBAAI MUNISIPALITEIT
UMASIPALA MOSSEL BAYI



In antwoord verwys na nommer
In reply quote number
Xa Uphendula chaza Le Nombolo

17/17/1/1 15/4/42/15 16/3/3/1
07/01/2010
C 437244

ROTS EN STRAND HENGEL VERENIGING
D G FORTUIN
MARLINSTRAAT 61
UITBREIDING 13
MOSSELBAAI
6500

KLAGTE TOT TOEGANG TOT DIE SEE TE NAUTILUSBAAI

ACKNOWLEDGEMENT / ONTVANGSERKENNING

We acknowledge receipt of your letter regarding the abovementioned matter and wish to confirm that the matter is receiving attention.

Ons erken ontvangs van u skrywe in bogemelde verband en bevestig dat die saak aandag geniet.

No additional feedback at this stage / Geen addisionele terugvoer op hierdie stadium nie.

Contact person / Kontakpersoon:
N Prins

Yours faithfully / Die uwe

E Jantjies

**E JANTJIES
CORPORATE SERVICES DIRECTOR
KORPORATIEWE DIENSTE DIREKTEUR**

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Privaatsak X29
Mosselbaai
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web: www.mosselbaymun.co.za



van oor die 10kg is reeds daar gevang. Enkele baie groot Kabeljous^{usse} word ook van tyd tot tyd daar gevang.

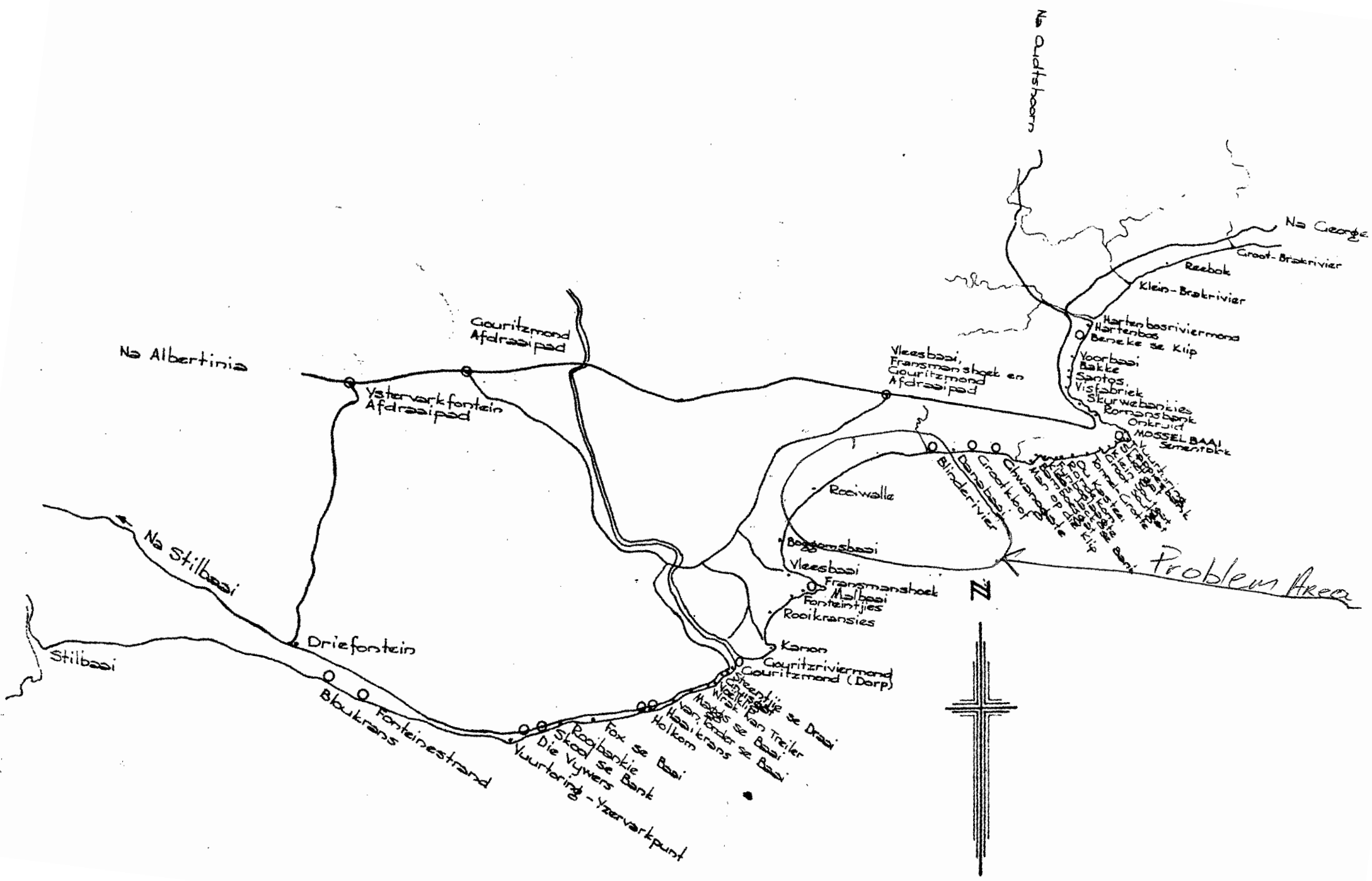
Lewendige aas, veral 'n Harder, Strepie of Kolstert lewer die beste resultate in die somermaande.

Beste vangste word met 'n ligte suidoostewind gemaak maar die see moenie te onstuimig wees nie. Somervis kan in die dag en nag gevang word.

BLINDERIVIER

Net anderkant Grootkloof, vanaf Danabaai, begin 'n pragtige stuk strandkus wat strek tot by Vleesbaai en dit sluit die bekende hengelplekke Blinderivier en Boggomsbaai in. Die hele stuk strandgebied word onder Blinderivier en Vleesbaai beskryf.

Blinderivier is ongeveer 12 kilometer vanaf Mosselbaai in 'n suidwestelike rigting en het seker geen bekendstelling nodig nie. Blinderivier het veral vir sy Galjoen landwyd bekend geword. Galjoen is volop langs hierdie kus en die visse wat gevang word is gewoonlik mooi, groot en in 'n baie goeie kondisie. Dié Galjoene het ook 'n besonder lekker en geurige smaak. Dit is ook die enigste gebied in daardie geweste waar witmossels voorkom. Rooi-aas is egter volop. In die somer kan vir Kabeljou, Elf, Mosselkraker, Witsteenbras, Belman, Hottentot en Kolstert gehengel word en in die winter vir veral Galjoen maar ook vir Witsteenbras, Mosselkraker, Belman en Kolstert. 'n Strandvoertuig kan met groot welslae langs hierdie kus gebruik word daar 'n groot gebied gedek kan word en



Problem Area

Appendix 2 rr: Documentation submitted by T Winstanley on behalf of Gourikwa Private Reserve



WINSTANLEY INC.
ENVIRONMENTAL LAW

📍 210 The Foundry, 95 Prestwich Street Cape Town, 8000 | 📞 +27(0)82 574 5173 | ✉️ terry@winstanleyinc.com | 🌐 www.winstanleyinc.com

To: Mr Erik Botha

Email: erik@erikbotha.co.za

31 October 2019

Dear Sir

**COMMENT ON COASTAL ACCESS AS CONTMPLATED BY THE NATIONAL ENVIRONMENTAL
MANAGEMENT: INTEGRATED COASTAL MANAGEMENT ACT,**

1. INTRODUCTION

- 1.1. I represent Gourikwa Reserve (Pty) Ltd ("**Gourikwa**") which is the owner of Portion 15 of the Farm Buffelsfontein, 455, known as the Gourikwa Nature Reserve and referred to here as the "**Reserve**". It is located on the coast between Stilbaai and Gouritsmond.
- 1.2. In March 2018 the Western Cape's Department of Environmental Affairs and Development Planning ("**DEA&DP**") commissioned an audit ("**Audit**") and published a report entitled "Coastal Access Audit for the Eden District" ("**Audit Report**"). The Audit sought to determine the extent to which the public has reasonable access to coastal land and therefore to the sea ("**Coastal Access**") in the Eden District ("**First Process**"). The Audit was apparently undertaken and the Audit Report was purportedly published under the National Environmental Management: Integrated Coastal Management Act, 24 of 2008 ("**ICMA**").
- 1.3. Gourikwa submitted comments on the Audit Report to DEA&DP and the (then)

consultant on 13 July 2018 (“**First Comments**”). Receipt of these was acknowledged.

- 1.4. More recently, we learned that a new process had been commenced for determining coastal access (“**Current Process**”). It is unclear how the First Process and the Current Process relate to each other; and what became of the First Comments and those submitted by other stakeholders as part of the First Process.
- 1.5. It is understood that the Current Process commenced with a survey of the entire coastline of the Eden Municipality’s jurisdiction. A preliminary determination of coastal access was then made for each portion of the survey. Coastal access was graded according to its assessed status; green indicating unrestricted access, red signifying disputed access. The Reserve was identified as yellow, being “Nature Reserve”. For ease of reference, a copy of the annotated aerial photograph is attached, marked “**A (1)**”. The classification of access allocated to the Reserve (Restricted, Nature Reserve) is attached, marked “**A**” (**2**). Stakeholders were asked to comment on those preliminary determinations. This is Gourikwa’s comment.
- 1.6. Because it is understood that the First Comments are not going to be considered in this new process, they are not submitted now, but a copy is tendered if it is needed.

2. RELEVANT FACTS

The Reserve

- 2.1. As mentioned above, the Reserve is situated on the coast between Stilbaai and Gouritsmond, within the Eden District Municipality in the Western Cape. As can be seen from Annex “**B**”, the Reserve is intersected in the north by a district road. The property ends in the south at the high water mark of the sea. This is depicted on the diagram attached to the title deeds of the Reserve, a copy of which is attached, marked “**C**”.

Status of the Reserve

- 2.2. Parts of the Reserve are identified as critical biodiversity areas. In recognition of the biodiversity importance of the Reserve, CapeNature has signed a stewardship agreement with Gourikwa. It forms the basis of a declaration of the Reserve as a nature reserve under the National Environmental Management: Protected Areas Act,¹ which declaration is imminent.

Coastal Road

- 2.3. The district road DR 1522 ("**Road**") was originally proclaimed in 1918 and extended in 1955. There is a portion of the Road that ran from the eastern boundary of the Reserve, across its southern section and that of adjoining coastal properties and then to Stillbaai. That portion was deproclaimed ("**Deproclaimed Section**") when the Reserve and other land parcels was acquired for the Atomic Energy Corporation's use in approximately 1985.² At that time the Reserve was declared a national key point under the National Key Points Act.³ During that period, no access to the Reserve of any kind (including from the sea) was permitted. The Deproclaimed Section fell into disrepair and parts of it are now impassable. The current routing of the Road can be seen in Annex B.

Current Access Arrangement

- 2.4. For some time after the Reserve was no longer a national key point, no access to the beach was permitted through the Reserve. The current access arrangement is that pedestrians have unrestricted access to the beach (that is, the area between the high and low water marks) through a gate on the eastern boundary of the Reserve. Typically, people then walk on the Deproclaimed Section (that is, on the Reserve) because it is easier and safer than walking on the rocks. No one prevents them from doing that.

¹ 57 of 2003

² This was done in Proclamation 131/1918, paragraph 15; Proclamation 22/1955, paragraph 1 and associated plan RL2/3; Proclamation 32/1985 and associated plan RL32/135; and Proclamation 104/1989 and associated plan RL37/32. Copies of all of these documents are available if they are needed.

³ 102 of 1980.

Cultural and natural heritage preservation

- 2.5. An archaeological assessment of the Reserve was conducted by ACO to assess the likely impact of vehicular and therefore increased pedestrian access to the Reserve. (A copy is attached, marked "D"). In summary it concluded that:
- 2.5.1. The seclusion of the Reserve from the traffic of the general public has resulted in unusually good preservation of historical artefacts, including fishtraps and middens. There are still many artefacts on the surface, including pottery and grinding stones, which are ordinarily (illegally) removed by people.⁴
 - 2.5.2. Generally in South Africa, coastal archaeology is in poor condition due to coastal property development, the proliferation of informal tracks and roads, off-road vehicles and the action of people. Good preservation is confined to nature reserves and coastal national parks. The apparent completeness of the middens in the Gourikwa Reserve makes them relatively unique and highly conservation-worthy.⁵
 - 2.5.3. Outside of developed areas recreational vehicles (which are now very common) cause enormous damage by crushing historical sites, mixing the layering and disrupting spatial qualities. Foot paths do the same thing but on a less intense basis. Even the creation of a pull-over points, an informal parking area, or an informal access to a fishing spot will have an impact in an archaeologically rich area.⁶
 - 2.5.4. The sparsely populated Reserve imparts a strong sense of openness and pristineness. The well conserved vegetation and presence of wildlife give a sense of a largely unaltered landscape harking back to a time when human populations were far lower than today. Opening the site for greater public access will have a significant impact to not only the archaeology but also the

⁴ Page 14.

⁵ Page 14.

⁶ Page 17.

intangible heritage qualities of this stretch of coastline.⁷

2.5.5. The site certainly warrants some form of special recognition and protection. In terms of limiting impacts to heritage, the best way to conserve the Gourikwa Reserve coastal strip is to maintain the status quo by limiting new paths and tracks and keeping the vegetation intact.⁸

Request

2.6. It is understood that it is the request of local anglers that vehicular access be granted to them on some basis, to:

2.6.1. enable easier access to the sea and inaccessible parts of the coast; and

2.6.2. a quicker route between Gouritsmond and Stilbaai.

2.7. It is respectfully submitted that while the first demand may be a legitimate one under ICMA, the second is not legitimate. As is explained below, ICMA is concerned with reasonable access to the coast, not with motorists' convenience. Further, there is a road to Stilbaai from Gouritsmond.

3. APPLICABLE LAW

3.1. ICMA guarantees⁹ any natural person the right of reasonable access to coastal public property; and the entitlement to use and enjoy coastal public property, provided that that use does not, among others, cause an adverse effect. (“[A]dverse effect” means any actual, potential or cumulative impact on the environment that impairs, or may impair, the environment or any aspect of it to an extent that is more than trivial or insignificant.¹⁰ Subject to what is said below, no one may prevent access to coastal

⁷ Page 18.

⁸ Page 19.

⁹ Section 13(1).

¹⁰ Section 1.

public property.¹¹

- 3.2. The provisions of ICMA, referred to above do not prevent prohibitions or restrictions on access to, or the use of, any part of coastal public property which is a protected area (into which definition the Reserve will fall when proclaimed) or to protect the environment.
- 3.3. Also relevant are two objectives contained in the National Strategy for the Facilitation of Coastal Access, namely:
 - 3.3.1. Objective 1: Opportunities for public access must be provided at appropriate coastal locations in context of the environment and social opportunities and constraints; and
 - 3.3.2. Objective 2: Public access must be maintained and monitored to minimise adverse impacts on the environment and public safety and to resolve incompatible uses (the “**Principles**”).

4. PROPOSAL

- 4.1. It is respectfully submitted that the current access arrangements meet the legal imperatives of ensuring reasonable coastal access through the Reserve and the Principles referred to in 3.3 above. These arrangements also protect the natural and cultural heritage resources, so ensuring the retention of the status of the Reserve as a protected area (as it will shortly be proclaimed). Although consideration was given to the possibility of vehicular access on some basis, it was concluded that will not balance the interests referred to above.
- 4.2. It is therefore proposed that the current arrangements of unrestricted pedestrian access remain as they are but that no vehicular access be granted.

¹¹ Section 13(1)A.

Yours faithfully

T J Winstanley

Terry Winstanley

**Archaeological conservation study of the coastal area
Gourikwa Nature Reserve
Riversdale**

Prepared for

Gourikwa Reserve (Pty) Ltd

October 2019



ACO Associates cc
Archaeology and Heritage Specialists

Prepared by
Tim Hart
John Gribble

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St James
Cape Town
7945

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1 Description of the project area

The subject of this study is the Gourikwa Reserve being Farm Buffelshoek (15/455) situated in the Riversdale area (figure 3). It is owned by Gourikwa Reserve (Pty) Ltd (Gourikwa). The extent of the property is 2444.06 hectares. It currently serves as a nature reserve with accommodation facilities in the form of cottages, apartments, a reception and conference centre. The reserve can be accessed from the N1 by turning onto the R325 just east of Albertina, whereafter roads to the site lead in from Gouritz River Mouth (a small town) along the coast or via an inland access from the R325.

Much of the reserve is a critical biodiversity area and is actively conserved and stocked with game (figure 1). The reserve also enjoys more than a 4km frontage of a largely wild shoreline which according to Kaplan (1995) is rich in various forms of archaeology.

The history of the reserve has contributed in part to the excellent preservation of archaeological sites on the property. From 1985 onwards, the area was consolidated from several land parcels procured by the then apartheid government with the intent to use it for classified purposes. Until 1994 it was a complete no-go zone and a national keypoint. Shortly after 1994 the site was sold into private hands and became known as Rein's Nature Reserve. At this time various disused government facilities and fisherman's cottages were converted for hospitality use. During the national key point era, a section of the coastal road (from the reserve's eastern boundary towards Stilbaai, traversing other coastal properties) was de-proclaimed and entry to the then national key point was denied. During this time of seclusion natural resources and archaeological sites enjoyed a degree of protection as the damage caused by vehicular access to the coast under normal circumstances did not take place. To this day access to, and across, the property is regulated, however unrestricted pedestrian access to the coast is permitted. The seclusion of the property after 1985 and its subsequent use as a nature reserve after 1995 has created a place of high aesthetic value and almost pristine landscapes where nature prevails.



Figure 1. Typical densely vegetated dunes of the Gourikwa Nature Reserve.

After Rein purchased the site from government, he appointed Kaplan (1995) to conduct an archaeological impact assessment of the property in anticipation of proposed (limited) development. Unfortunately the survey was done prior to common use of GPS. None of the archaeological sites recorded by Kaplan were thus referenced with co-ordinates and only a sketch map was included in his report. Kaplan did, however, remark on the wealth of heritage that he encountered which included numerous large shell middens and coastal fish traps. He attributed much of this heritage to the period after 2000 years ago which saw the Khoikhoi occupation of much of the winter rainfall areas of the country. Given the restrictions created by dense vegetation the ACO team visited most of the locales visited by Kaplan in 1995 (almost 25 years ago) and can confirm that the heritage of the site remains in good order.

The Gourikwa Reserve is a haven of limestone fynbos (much of it in climax condition) which covers a coastal plain of undulating dunes (figure 1). Towards the coast the landscape descends somewhat, reaching a clearly visible early shoreline where the calcified dunes have been eroded by an ancient marine transgression (possibly Eemian period of 130 000 years ago). South of that is a coastal plain that is characterized by lowlands and a series of wetlands and springs behind the coastal fore-dune. Most of these springs were flowing at the time of the site inspection. Also visible just back from the present day high tide mark is a clear raised beach that marks the mid-Holocene marine transgression that was some 2m higher than present day sea levels. The coastal springs and seepages were evidently of great importance in the past as it is near these that many of the large shell middens were observed. The shoreline itself is characterized by quartzite outcrops in places, but also expanses of quartzite boulder beaches (figure 2) that overlie limestone

platforms. The boulder beaches which extend out to sea for 150 m in places were the main areas where stone walled fish traps were built.



Figure 2. View of an expanse of boulder beach showing ponds and gullies created by moving stones and building walls to catch fish.

The coastal unpaved road that runs across the reserve from east to west originally gave access to the coast between Gouritzmond and Stilbaai, however since it was deproclaimed in the 1980s, access has been limited to pedestrians who are able to access the beach through a gate on the eastern boundary of the reserve. This has resulted in more limited access by the public to the beach than is the case to the west, which has greatly benefitted both the heritage and natural qualities of the area. There is apparently pressure from certain groups of people to allow vehicular traffic through to access fishing spots along the coast.

2 Terms of reference

An investigation is being done under the National Environmental Management: Integrated Coastal Management Act (“ICMA”) regarding whether there is reasonable access to the coast. Currently there is unlimited pedestrian access by way of gate referred to above.

Local anglers who were invited to voice their concerns regarding reasonable coastal access as part of the ICMA process would like vehicular access to the sea and the (deproclaimed) road to facilitate easier access to the coast and a quicker route between Gouritsmond and Stilbaai. This study assesses the impacts of unrestricted vehicular access to the Reserve and the consequential increase in human traffic on the site would have on heritage resources.

ACO Associates CC was appointed by Ms Terry Winstanley of Winstanley Incorporated (representing Gourikwa) to respond to the following terms of reference:

1. Identify all of the heritage resources on the site, including the fish traps, middens, walls and anything else that can be identified as a heritage resource;
2. Assess their quality of those heritage resources (and the extent to which they have been protected by restricted access compared with similar features elsewhere in the area where access is unrestricted);
3. Determine the risk of increased pedestrian and vehicular traffic over the Reserve, if any;
4. Indicate whether the declaration of a special management area under ICMA, and perhaps also under the National Heritage Resources Act is justified.

ACO was requested to pay specific attention to the route of the east-west access road and the area 200 m inland from the coast, with specific concern being expressed about the significance of the fish traps, the coastal middens and the impact that increased vehicular and pedestrian traffic would have on these heritage resources. We were also asked to consider whether proposing that the reserve be declared a special management area under the ICMA or the National Heritage Resources Act is warranted.

To this end ACO has sought and checked previous heritage studies on the site and spent some 14 hours of survey time on the Gourikwa Reserve.

The findings of this study are included in the pages that follow along with a general discussion on the broader heritage of the area.

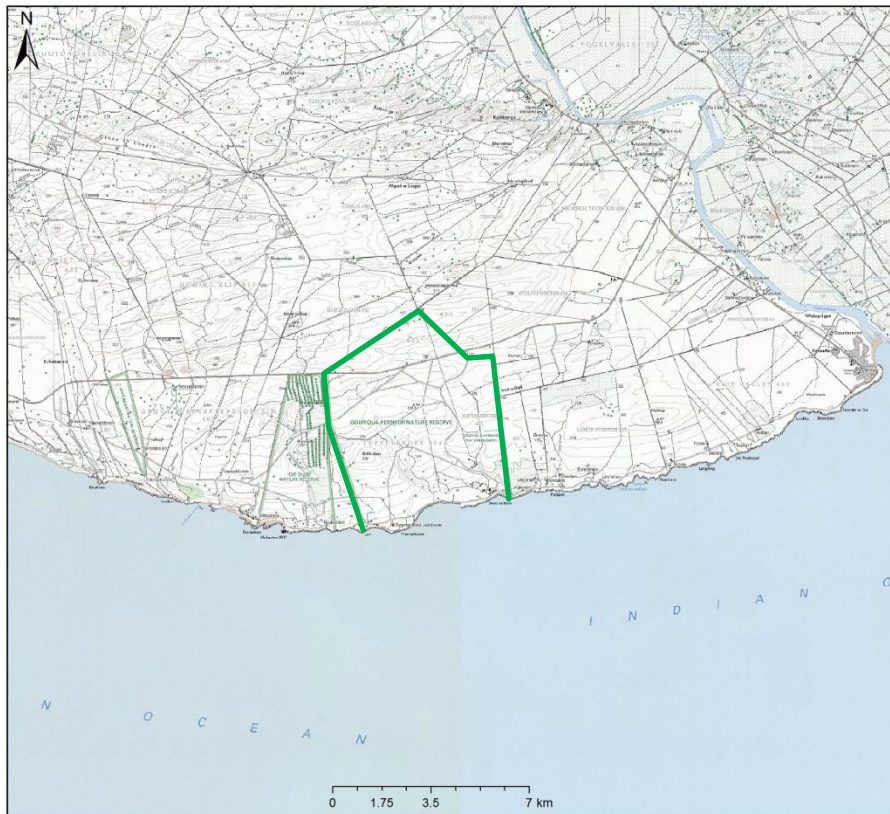


Figure 3. The project area on the south coast of the Western Cape.

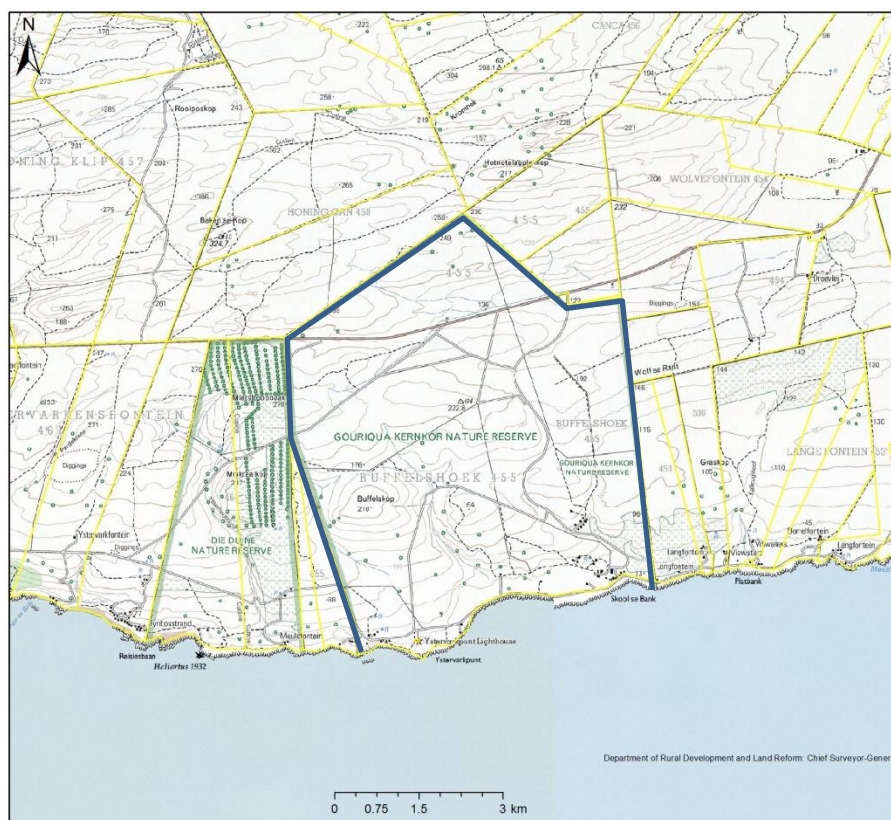


Figure 4. Detail of the project area.

3 History of the setting

2.1 The Late Stone Age of the South Coast

In recent years the south coast has become quite famous for a number of break-through discoveries with respect to a time period known as the Middle Stone Age which have specific relevance to the dawn of modern human thought and behavior. Notably reference is made to the significant finds from Pinnacle Point (Dr Curtis Marean, Dr Peter Nilssen) as well as those of Dr Chris Henshilwood and his team at Blombos to the west of Stilbaai. Along with a suite of sites on the West Coast these sites have been subject to a serial nomination for World Heritage Site status. The heritage of the Gourikwa Reserve however reflects mainly the Late Stone Age of the area, notably archaeological sites that reflect the heritage of Khoikhoi and possibly earlier San occupation. The Gourikwa/Gouriqua, after whom the reserve is named were a powerful group of cattle keeping Khoikhoi pastoralists who frequented the coastal plain around Mossel Bay in early colonial times (Schapera 1930).

The first formal research into the Late Stone Age of the southern Cape relevant to this project was that published by Professor John Goodwin in 1946. This research did not involve any excavations of archaeological sites on the southern coast but was based upon a series of observations of *viswywers* (tidal fish traps) that he assumed had been built by prehistoric people - possibly the same people responsible for the accumulation of shell middens that contained numerous fish bones and fragments of pottery. Goodwin stressed the need for the archaeological investigation of sites that could provide evidence linking the contents of shell middens and the *visvywers*. It was to be many years before Goodwin's hypothesis was tested.

It was not until the 1970's that research by archaeologists of the South African Museum provided further insight into the prehistory of the southern Cape to the west of Cape Agulhas. Excavations by F.R. Schweitzer (1979) at Die Kelders cave near Gansbaai produced early evidence (1600 years ago) for the introduction of pottery technology and domestic stock into the Cape, as well as a MSA (Middle Stone Age) occupation over 40 000 years old. More recently accelerator radio carbon dates (AMS) have indicated that the Die Kelders material is nearly 2000 years old. Other excavations were carried out by the South African Museum at Byneskranskop 1 (Schweitzer and Wilson 1982) and again revealed a sequence of occupation extending back several thousand years. Excavations of shell middens in the Pearly Beach area by Graham Avery (1974, 1976) showed that the remains of early domestic sheep were to be found in some of the coastal middens as well. It is now

broadly accepted by archaeologists after decades of research that shortly after 2000 years ago, a new economic system was introduced to Southern Africa - namely certain groups of people that made up the Khoikhoi adopted transhumant (cyclical) pastoralism (in this case with herds of fat-tailed sheep and later cattle) instead of hunting and gathering which was universally practiced in South Africa before this time. The origin of early stock keeping in Africa is still unknown, but recent DNA studies (Parkington J. pers comm) have suggested a movement of herding people from central west Africa into the Cape who came into competition with San hunter gatherers.

3.1 History and age of fish traps

A characteristic of the Gourikwa reserve is the many stonewalled fish traps that abound on the boulder beaches of the intertidal zone. Avery (1974) suggested that the *visvywers* or fish traps of the south coast were probably built by the same people (Khoikhoi herders) who were responsible for accumulating the shell middens, once again echoing Goodwin's hypothesis that was never scientifically tested. Despite that, the prevailing volume of literature of the day took as fact Goodwin's speculation that the fish traps were ancient in origin.

In 2005 South African Heritage Resources Agency (SAHRA), as part of the National Survey of Underwater Heritage, undertook extensive mapping and surveying of fish traps between False Bay and Mossel Bay. One aim was to produce high-quality digital orthophotos showing the locations of fish traps, and to verify them by means of ground surveys (Gribble 2005). Much of the work done by the SAHRA group was described by Kemp (2006). There is now extensive documentation of all surviving fish traps along the south coast, including high-quality digital orthophotos. According to Hine, Sealy, Halkett and Hart (2010), Kemp (2006) focused on the ecology of fish traps, their possible impact on fish populations and invertebrate communities, and their conservation as heritage resources. None of the above-mentioned studies provided clarity on the archaeological associations of the traps, if such exists.

In 2010 the nature and origins of the fish traps was tackled by Hine, Sealy, Halkett and Hart (2010). Hine *et al* conducted extensive archival research and as Goodwin had suggested in 1946 excavated at three shell middens spatially associated with fish trap complexes at Agulhas. Contrary to expectation there were almost no fishbones on any of the middens leading the team to conclude that there was in fact no association. Hine *et al* then went on to do extensive historical research and established that excessive historical use of fish traps by farmers in the late 19th

century resulted in such deep concern that the first regulations to control exploitation of coastal resources were put in place. A licensing process was introduced that governed ownership, use and construction of the traps. The existing historical documentation is extensive and unambivalent. It also needs to be stated that while historic records (of which there are many) mention that Khoikhoi people speared fish in estuaries and caught fish in wicker baskets, there is no mention of them building stone walled fish traps although they regularly constructed stone walled kraals for small stock.

Hine *et al*/write:

“The first mention of fish traps found in the archives dates to 1892. Johan Stephan of Stephan Bros, owner of a large fishing company at the Cape, reported on the use of fish traps on the Western Cape coast between Hoetjies Bay and Saldanha. He testified that “there is a practice among the farmers who reside near the reefs of rocks on the coast, of making ‘kraals’ or enclosures of stone for entrapping fish...” (Stephan 1892: 17 in litt.) and went on to note that these were excessively destructive of fish populations. John Louis McLachlan of Stumpnose Bay echoed this: “certain parties in the vicinity destroy vast quantities of young fish by building sea walls among the rocks sufficiently high to allow the flood tide to cover the same, thereby entrapping fish which cannot escape at low water” McLachlan 1892: 19 in litt.). Morris Fox (1892: 25 in litt.), who lived near the mouth of the Goukou River at Still Bay, noted that people built “fibre walls of stone” which retained fish as the tide receded, and he proposed that this should require a licence.

Today, recognizable fish traps are known from only a few isolated localities along the West Coast, far fewer than the testimonies of Messrs Stephan and McLachlan would have us believe, suggesting that many late 19th century traps are no longer visible. It was clear from the testimonies to the Commission that tidal traps had a destructive effect on fish stocks. Section 10 of the summary of the S.C.R. (Select Commission Regarding) recommended that any future Act to do with the fishing industry should prevent the destruction of fish stocks through the practice of making ‘kraals’ or ‘enclosures of stone’ (Anon. 1892 in litt.). As a result, in August of 1893, the Fish Protection Act of 1890 was amended. Section 2 stipulated that: “it shall not be lawful for any person or persons to construct or make use of any ‘kraal’ or enclosures below high-water mark, for the purpose of snaring or catching fish of any description” (Anon. 1893). This regulation was reiterated in Proclamations 353 of 1894, 393 of 1895, and 81 of 1897. Another Parliamentary commission was established in April 1904, this time to investigate the state of fisheries in the Caledon district, which included the farm known as Paapkuil Fontein. Mr H. van Breda, then owner of Paapkuil Fontein, commented that he allowed fishermen to camp on his property

during the haarder (mullet) season (H. van Breda 1904 in litt.). Unfortunately, the exact location where fishing took place and the methods used were not mentioned. The information does, however, confirm that historically, the area was a favoured place for fishing, in particular, for mullet.

In the early years of the 20th century, local authorities repeatedly appealed to have the ban on fish traps lifted, on the grounds that they provided livelihoods and sustenance for bywoners (tenant farmers) and other poor people living along the Riversdale coastline (e.g. A. Badenhorst 1924 in litt.). In November 1905, the Divisional Council of Riversdale introduced new regulations stating that owners of land abutting the sea, or their authorized representatives, would be allowed to use fish traps during the months of August to January to catch mullet during spring tides at new moon. Fish less than eight inches long could not be harvested (Anon. 1905 in litt.). During December 1905 Mr Morris Fox, acting Fishery Commissioner of the Riversdale District, inspected the fish traps at Still Bay and found that walls had not been maintained and the traps were full of sand, making them ineffective (Fox 1905 in litt.). It is important to note that the lack of maintenance since the use of fish traps had been banned in 1893 (only 12 years previously) rendered them unusable” (Hine et al .2010:p41).

Many people (archaeologists included) maintain the belief that the fish traps are ancient, however after the comprehensive research of Hine *et al* in 2010 it is certain that almost every fish trap that can be seen along the southern Cape Coast today is likely to have been built during historical times (during times of written recorded history). What is not known is whether the origin of the tradition of building fish traps emanates from prehistoric Khoikhoi or European colonists. More work is needed.

4 Method

Standard methods were applied when doing the archaeological survey. Site locations were marked using a hand held Garmin GPSmap 60csx units (map datum WGS 84) carried by each of the three team members. Contents of the various archaeological sites were examined. Photographs were taken of not only archaeological material but also throughout the general area. No trial excavations were undertaken. It must be noted that the work done was not a development driven HIA process but rather a survey to consider conservation implications with reference to the fish traps in the intertidal zone and archaeological sites in the vicinity of the coastal road that runs in an east-westerly direction across the site. While the study was focused on the intertidal zone and the first 200 m from the high water mark, the team did venture inland beyond this point to get a general sense of the distribution of archaeological sites. Our track logs (figure 5) in the project area are presented below. Field Grades were assigned to located sites as per the guide to grading

utilized by Heritage Western Cape, the heritage resources authority with jurisdiction over the Western Cape.

4.1 Restrictions on the study

The history of the site which has involved not being open to the public for many years combined with good conservation has resulted in the coastal fynbos and thickets being very dense, and in many places impenetrable (figure 1). Dense vegetation limited our capacity to examine the ground surface and we therefore had to rely on what we could see in clearings, roads and tracks. It was also very difficult to estimate the size or extent of any archaeological sites found for the same reasons.



Figure 5. The team track log.

5 Findings

Detailed mapping is indicated in Appendix A

5.1 Fish Traps

There are numerous fish traps in the intertidal zone (figure 6). While many are visible on Google Earth aerial images there are many more traps that are most visible at spring low tide very close to the water's edge. Within the project area we noted several forms of fish trap.

- Piled stone walls placed across gullies, purposefully constructed with the seaward side sloping and the inner side more steep to trick fish into being unaware they were swimming into danger.
- Large stone “kraals” of intersection walls stretching over the intertidal zone to ensure that catches were made across the entire range of tides in a given area. These would have had sloping seaward sides and steep inner sides, however they have not been maintained for many years which has resulted in lowering of the walls during storm surges.
- Large “ponds” were created by clearing areas of stone on a boulder beach where standing water could be trapped at low tide. Some of these are clearly visible on aerial photographs. The fish trap survey was done at a time of spring low with the result that we were able to observe that a fairly large shoal of mullet had been captured in one of these dams.

An interesting observation that was made during this study was that the main clusters of fish traps are associated with fresh water seepages onto the boulder beaches. It is interesting to note that mullet fish (*Mugilidae*) are attracted to fresh water as they mature in estuaries. It would seem the makers of the fish traps strategically placed their endeavors to target Cape mullet that could sense changes in salinity.

Significance: While it is not known when or where the tradition of building stone wall fish traps originated, one can be almost certain that the traps that are visible today date to the historic period and are not “ancient”. Nevertheless they are considered to be a significant historical resource that provided protein for farm workers, slaves and bywoners during the 19th and early 20th centuries. Many of the mission stations around the Western Cape (for example, Elim and Genadendal) traditionally visited their traps on the coast at times of spring tide. A cluster at Stilbaai has been declared a National Heritage Site. The traps within the Gourikwa Reserve are both prolific and diverse are certainly worth conserving for as long as possible, although we recognize that in time the forces of nature will eventually displace them if they are not maintained.



Figure 6. A complex of stone walled fish traps.

5.2 Shell middens

In general, the spatial distribution of archaeological material follows a very distinct pattern. There is a nearshore ribbon of midden material visible along the road that crosses the site from east to west. Some of this material is very dense on the surface and is likely to be stratified below surface, making the middens potentially important archaeological resources. There is at least one stratified midden visible in a swathe of deflated dune close to the Ystervarkpunt lighthouse. This contained numerous stone artefacts, Cape Coastal ceramics and a possible burial cairn (figure 7).

The bulk of the shell middens noted during the survey lie within 200 m of the coast but become more differentiated further way. There are very few middens inland of 300 m from the coast, although dense vegetation did impede our ability to identify such sites the further we moved from the coast.



Figure 7. A well preserved shell midden with stratigraphy intact. Sites like this are extremely vulnerable to casual souvenir collection.

5.2.1 Cultural affiliations

The contents of the midden sites are fairly homogenous. The dominant shell species noted are *Turbo sarmaticus* (Alikreukel), *Haliotis midae* (Perlemoen), *Patella (Scutellastra) longicosta*, *Patella (Scutellastra) tabularis* and occasional *P. Granatina*, *P. Granularis*, *Burnupena sp* (Welks) and *Oxystele sp* (Periwinkels). The dominant species, alikreukel, perlemoen and limpets (*P. Longiscosta*) are manifested in varying proportions from site to site. This pattern generally reflects the expected patterns of shellfish exploitation on the South Coast during the late Holocene.

Formal artefacts (such as tools?) made from siliceous stones were relatively rare on all sites being confined to occasional silcrete flakes. In general the stone artifact assemblages were consistently informal being dominated by broken and flaked quartzite cobbles and manuports, as well as numerous flakes and irregular cores. Some of the quartzite flakes had been retouched (modified to make a serrated edge). Pottery of the Cape Coastal type found on many of the sites was brown with a grit binding.

The suite of artefacts and the large size of the middens are consistent with the period of the Late Stone Age that coincides with the introduction of pottery, fat tailed sheep and cattle herding by Khoikhoi pastoralists. It is not unrealistic to suggest that ancestors of the Gouriqua themselves may have been present.

Significance: The seclusion of the project area from the traffic of the general public has resulted in unusually good preservation of the middens. There are still many artifacts on the surface, including pottery and grinding stones, which are normally the first items that are (illegally) removed by people.

Generally in South Africa our coastal archaeology is in poor condition due to coastal property development, the proliferation of informal tracks and roads, off-road vehicles and the action of people. Good preservation is confined to nature reserves and coastal national parks. The apparent completeness of the middens in the Gourikwa Reserve makes them relatively unique and highly conservation-worthy.

General suggested grade 3A (high local significance).

5.3 Historical sites

The history of Gourikwa Reserve was not researched for this project, however the Botha family cemetery on the Reserve and at least one historical site indicate historic period occupation dating to before the 1860s. There is a historic site with ruins of a limestone structure situated strategically close to a spring set back from the coast.

The site is difficult to identify due to dense thicket (of mainly alien vegetation at this locale) however associated with it is a domestic midden containing fragments of domestic bone and European refined earthenware ceramic including, sponge and transfer decorated and annular decorated characteristic of the 1830-1860 period (figure 8). This is an interesting site in that the contents of the midden may reflect the use of the fish traps which would be a research question to resolve.

While it is difficult to assign a grade to this site as it is so obscured, it certainly has research potential. General suggested grade 3A.



Figure 8. Mid-early 19th century ceramics and associated bone found near the ruins of an historic cottage.

5.4 Other sites

Kaplan (1995) mentioned the presence of both Middle and Early Stone Age material on the inland portions of the site. Within the 200 m wide coastal strip all material observed was Later Stone Age, although a scatter of possibly MSA (Middle Stone Age) stone artifacts was noted in and along the road in the extreme west of the reserve, on the boundary of the 200 m coastal survey area.



Figure 9. The distribution of archaeological sites and stone wall fish traps in the project area.

6 Conservation issues

While there are no archaeological sites in the coastal area that have been identified as having Grade 1 or Grade 2 significance (yet), most of the identified sites have a high local significance. Coastal shell middens were once a common heritage resource, however impacts to them in the late 20th-21st century have been severe. Most of these impacts are caused by the action of humans utilizing the coastal zone. It is only in protected areas (such as the Gourikwa Reserve) where preservation is found to be relatively good, that middens retain their heritage significance. Aside from the possibility of future rising sea levels which will impact coastal archaeology, the action of people is the biggest overall threat to this kind of heritage.

6.1 The ways in which middens are impacted by people

Middens are repositories of cultural material and contain the histories of the way in which people were leading their lives. They provide important insights into where people were living and when, what they were eating, what kinds of animals were in the area, and even subtle details of ritual activities can be uncovered by fine grained archaeological process. However, this all depends on the completeness of a given archaeological site and the preservation of its spatial layout and internal layering. Gourikwa Reserve contains a suite of well-preserved middens that must be celebrated and conserved.

- Development activities can involve the complete destruction of archaeological sites through earthmoving, construction of roads and digging of services.
- Outside of development areas recreational vehicles (which are much more common now than they were when the road across the reserve was deproclaimed) cause enormous damage by crushing the sites, mixing the layering and disrupting spatial qualities. Foot paths do the same thing but on a less intense basis. Even the creation of a pull-over spots, an informal parking area, or an informal access to a fishing locale will have an impact in an archaeologically rich area.

- People collect artefacts, even when they are instructed not to do so. Grinding surfaces, pieces of pottery and stone tools are fair game. The accumulative impacts of this can be severe, even in frequently visited sites in National Parks. The Cape Maclear ESA (Early Stone Age) site in the Table Mountain National Park has been picked clean of obvious artifacts although it is in a protected setting. At Gourikwa people have had limited access to the sites with the result that quite a lot of archaeological material is still visible on the surface and not illegally collected.
- Fish traps are probably one of the more robust forms of archaeological sites in the area but unfortunately the walls make useful stepping stones to areas of deeper water, and elsewhere on the coast, fish traps have been damaged by bait collectors turning over rocks. Over time stones will be displaced and the visibility of the fish traps will be diminished.

Unfortunately people in archaeologically sensitive areas cause damage. To a degree this can be controlled through judicious identification of path and vehicle routes and controlling development activities. It is very difficult to control illegal collection of material by individuals. The greater the degree of access and the more people who gain entry, the greater the accumulative damage to heritage resources will be. This is clearly visible outside of the Gourikwa Reserve on the road to Gouritzmond where vehicles have worn out the veld at habitual fishing spots and any underlying archaeology is largely crushed.

6.2 Intangible heritage

The sparsely populated project area imparts a strong sense of openness and pristineness. The well conserved vegetation and presence of wild life give a sense of a largely unaltered landscape harking back to a time when human populations were far lower than today. Opening the site for greater public access will have a significant impact to not only the archaeology but also the intangible heritage qualities of this stretch of coastline. Outside of the reserve it was noted that most land owners have had to erect sturdy fences along the proclaimed road reserve which have a significant visual impact and have the effect of disrupting the link between the coast and its hinterland. In other areas the road reserve was denuded as a result of informal parking. If the coastal road within and beyond the reserve was re-proclaimed it is a concern that the landowner will be forced to respond in a similar way by erecting some form of barrier or even increased signage to persuade people to be respectful. All of this will impact the unusually positive visual qualities of the reserve.

In terms of limiting impacts to heritage, the best way to conserve the Gourikwa Reserve coastal strip is to maintain the status quo by limiting new paths and tracks, and keeping the vegetation intact.

6.3 Declaration of conservation areas

The site certainly warrants some form of special recognition and protection. It is possible to nominate the site as a section 28 or 29 conservation area in terms of the National Heritage Resources Act 25 of 1999. However on archaeological grounds alone this may not be accepted as no grade 1 or grade 2 archaeological sites have been identified as yet. If however a holistic approach is taken to declare Gourika Reserve based on a suite of special qualities that includes its intangible qualities and natural vegetation this is a possibility in addition to its further protection under Protected Areas Act.

Another possibility is the isolation of particularly sensitive areas for declaration. The first 250 m from the coast is a possibility. This could be managed in terms of a heritage agreement with Heritage Western Cape, the heritage authority.

The investigation of other mechanisms such as the declaration of a special management area under the National Environmental Management: Integrated Coastal Management Act ("ICMA") is justified, given the uniqueness of the reserve.

6.4 General Protection

The National Heritage Resources Act (section 35) protects all archaeological and historical material that is greater than 100 years of age. Any change to an archaeological site, excavation, disturbance or collection requires a permit. This means that archaeological material is protected all the time without exception.

Section 35 is the only legislation that specifically targets archaeology. Any person who is found doing unauthorised damage can be charged at a police station and will have to face a criminal offence. (Unfortunately this aspect of the NHRA is not well implemented as most people believe it is up to the Heritage Authority to lay a charge whereas an ordinary citizen can do so).

7 Conclusion

Opening up the reserve to vehicular traffic will have a range of undesirable impacts to heritage that result from having vehicles and more people on site. The likelihood of accidental damage to sites is very much higher where people pull off the roads to park. The opening of new paths will cause impacts and the inevitable collection of artefacts will deplete the research value and the completeness of the sites in the long-term. Fish traps that are used as walking routes will experience further damage. There may be a need to fence the access routes to secure the property which will have a very serious impact on the visual qualities of the place.

While the creation of special conservation areas and protected areas may offer the Gourikwa Reserve special status, the practicable usefulness of such actions are questionable as firstly the Heritage Authority lacks the capacity to respond to issues timeously, and secondly the restrictive nature of a heritage declaration may be at odds with the conservation effort of the reserve. These disadvantages being stated, this study finds that maintaining the status quo of the site is entirely desirable. Increased vehicular (and therefore pedestrian) access is not desirable and will lead to a range of negative impacts within the reserve and generally along the coast to Stillbaai.

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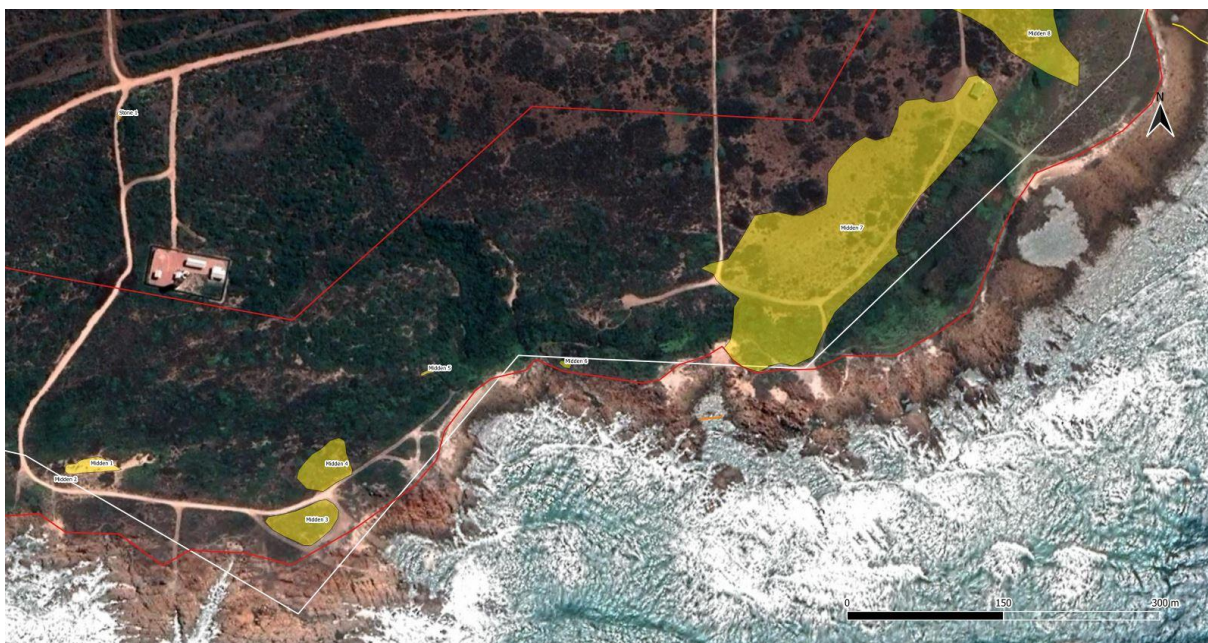
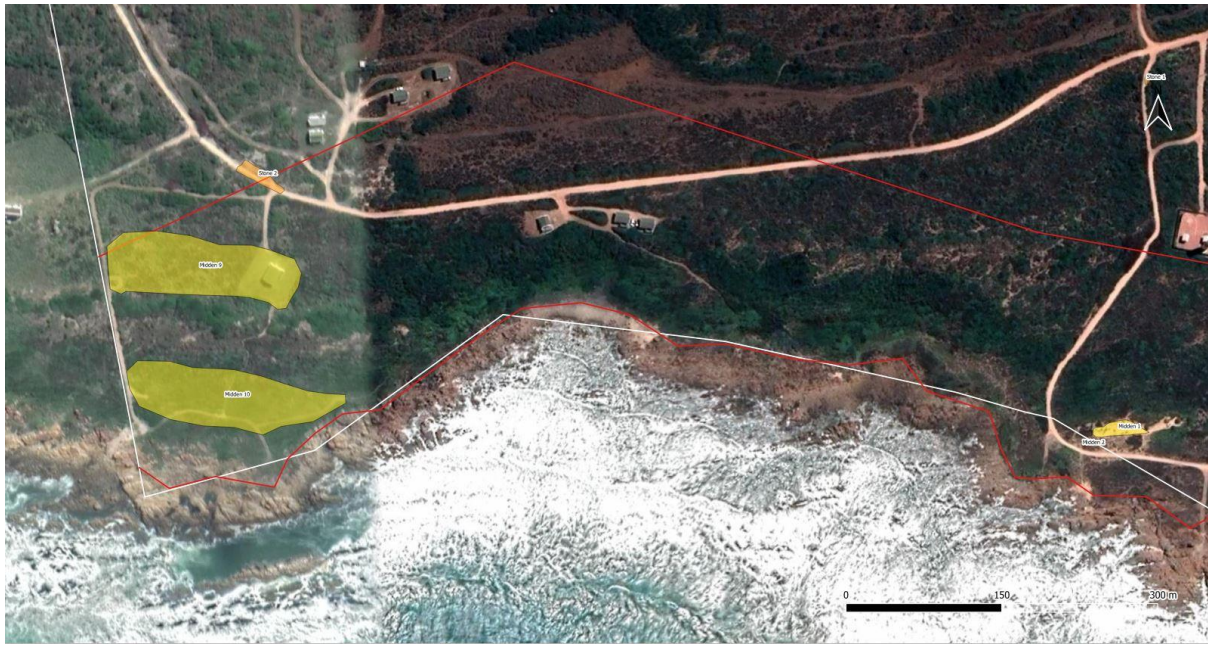
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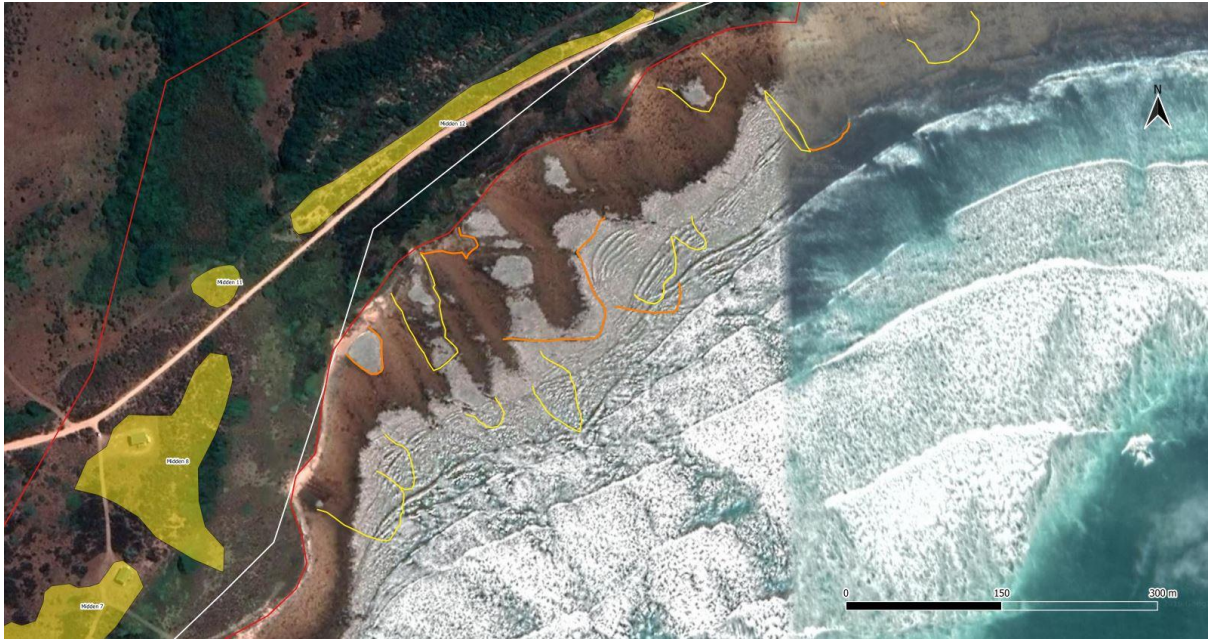
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Appendix A

The following images are arranged from west to east depicting the mapping of visible midden material and stone walled fish traps. Shell Middens are depicted by yellow shading, fish traps by orange and yellow lines and the Holocene raised beach with light green shading.









Appendix 2 ss: Documentation submitted by Moquini Coastal Estate Home Owners Association Excom

From: [Erik Botha](#)
To: [Errol Cerff](#)
Subject: FW: Fishermen Access to Moquini
Date: Thursday, 31 October 2019 7:14:50 AM

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-----Original Message-----

From: Kobus Malan <kobusmalan@icloud.com>
Sent: Wednesday, October 30, 2019 8:32 PM
To: Erik Botha <erik@erikbotha.co.za>
Cc: Mariëtte Oosthuizen - Bits of Africa <mariette@bitsafrica.co.za>; Marthunis Kruger <mjgkruger@gmail.com>; M S <marcspalding@yahoo.com>; Dr J H LeRoux <hannes@gds.co.za>
Subject: Fishermen Access to Moquini

Dear Mr. Botha,

I am writing to you on behalf of Moquini Coastal Estate HOA Excom regarding the issue of fishermen demanding access to so-called 3rd Beach in Dana Bay over and onto our property. Fisherman's Village has already recorded their position with you and we wish to do the same.

Our position on this matter is as follows:

1. Erf 14794, located west of Fisherman's Village is privately owned by Moquini Coastal Estate. The dirt track on this erf, which are currently illegally used by fishermen, is contrary to public belief, a private road with no registered servitude and not a public road.
2. Public use of this road and parking on our property is a security, environmental and fire risk for Moquini Coastal Estate. There are no facilities at the end of the road which is used as a parking area by the fishermen. This results in unhygienic conditions, littering and occasional fires being lit very close to the fynbos.
3. Moquini Coastal Estate HOA was never consulted or agreed to the agreement that Fisherman's Village made with the fishermen to grant them access to 3rd beach over their and our property or to park on our property.
4. There is no clause in our HOA Constitution or founding documents that grants access to public to any part of our estate. To the contrary, our Constitution demands that the public's access to private open space in the estate to be strictly controlled.
5. Moquini HOA Excom has decided to erect a locked boom at the entrance of our property (Erf 14794) to prevent unauthorised entry of vehicles. Signs have already been erected to warn trespassers that they are entering private property.

I trust that this clarifies our position, but if any clarification is needed, please don't hesitate to contact me..

Kind regards

Kobus Malan
Chairman: Moquini Coastal Estate HOA Excom