
NATURES VALLEY RATEPAYERS' ASSOCIATION CHAIRMAN'S REPORT, DECEMBER 2023

1. Introduction

It gives me pleasure to report to the ratepayers after what has been a busy, and I believe, successful year for the Association. Thanks are due to the large proportion of the ratepayers who continue to contribute to the NVRA coffers. Without this visible support, the NVRA Committee would not be motivated to serve the community and continually strive towards satisfying the objectives of the Association as spelt out in our constitution, which are:

- To look after and represent the interests of the ratepayers.
- To facilitate communication between members.
- To act as a watchdog to ensure fair and just treatment from the Local Authority.
- To promote security in the township and surrounds.
- To act as an action and pressure group when needed.
- To promote the orderly and environmentally sensitive development of the township.
- To retain the single residential (Res 1) status of Natures Valley.
- To prevent the subdivision of residential erven.
- To promote the sustainability of the natural heritage of the township and immediate surrounds.
- To enter into agreements with any relevant authority on behalf of Natures Valley.

2. Arrivals and Departures

Obituaries.

We are sad to record that the following members of the NV community passed on this year:

Irma Kahts, Erf 392

Johann Otto, Erf 273

Irmgard Greiner, Erf 65

Kotie Retief, Erf 172

John Buxton Forman, Erf 204

Dallas Mason-Jones, Erf 41

Andre van Niekerk, Erf 194

Christa Muller, Erf 245

Hannes Koekemoer, Erf 177

We send condolences to the families involved and the sad loss of loved ones.

A very unfortunate event occurred in NV early in October when two young boys from the local Covie community drowned in the lagoon when the canoe they were using overturned. A third boy was fortunately able to struggle to shore. NV residents assisted in saving the one boy. An appeal was made to NV owners to contribute to the funeral expenses and the response as usual, was admirable. Rob Nicol was very involved in the effective management of the funds collected and he is in the process of working with the NSRI to set up a swimming instruction programme for youngsters in Covie and Kurland utilising contribution funds, in memory of the two boys.

New arrivals

We welcome the following new owners to Natures Valley.

Karen Meerholtz, Erf 67

Leon Homan. Erf 82

Rodger Gilson, Erf 212
Britta Gas, Erf 305
Amri and Inga Kahts, Erf 392
Stuart Parker, Erf 462

Departures

It's hard to believe, but some owners have sold up in NV and moved on. We wish them all the best.

Dr de Meulenaere, Erf 67

Vera Koekemoer, Erf 177

Piet and Estelle van Rensburg, Erf 82

Jan and Antoinette Pieterse, Erf 212

The Nash family, Erf 462 (one of the original syndicate settler families in NV)

3. NVRA Committee

My thanks go to the committee members who diligently attended to their tasks during the year, which has gone past particularly fast!

Unfortunately, David Evans resigned from the committee early in the year and Paul Vlaming who was a co-opted member agreed to join the committee and our thanks go to him for stepping in. Thanks also to Dave for his valuable assistance as a committee member for a year and a bit and his ongoing assistance in dealing with security and environmental issues in the valley.

The committee meets formally on a bi-monthly basis with interim meetings as necessary.

I appeal to any owners, new or old who are interested in standing for election to the NVRA committee to please contact me or the office so that the necessary paperwork can be completed for nomination at the AGM on 21 December when the committee for the next 12 months will be voted in. New faces with new ideas and new skills would be much appreciated. We are generally well represented by owners with technical skills and experience but those with experience in accounting and financial management would be very welcome. If there is anybody out there who gets pleasure out of taking minutes of meetings and producing Newsletters, please step forward!

Thanks also to Annamarie Kovacik for her dedicated service and being the welcoming face of the NVRA for residents, owners, and visitors.

4. Activities & Achievements of the NVRA Committee for 2023

At the start of the year, the committee identified the following matters for particular focus during 2023.

- Finalise the establishment of the NV Special Rating Area (NVSRA)
- Ensure the Municipality's commitment to the Memorandum of Understanding (MOU)
- Finalise the Settlement Agreement relating to the development of Erf 130
- Establish NV as an Overlay Zone in term of new Zoning Scheme regulations.
- Streamline the process of dealing with Title Deed infringements.
- Campaign for improvements in the reliability of NV water supply
- Campaign for Bitou acceptance/approval of Septic Tanks in NV
- Improve the quality of the roads and road safety in NV.

Progress has been made in achieving these objectives with varying degrees of success, as outlined in detail below:

4.1 Finalise the Establishment of the NVSRA

A steering committee consisting of Rob Nicol (Chairman), James Martin (Finance) and Paul Richards, carried on with the process which was initiated in 2022 under Dave Owen's chairmanship.

Bitou Municipality promulgated the by-law in 2022, which sets out the requirements for the operation of an SRA in the Bitou Municipal area. This allowed the establishment process to proceed which culminated in majority approval by the ratepayers in Feb 2023.

The SRA has since been formalised and the cost to owners has been included in the Bitou rates account since July 2023. The focus of the SRA is the ongoing management of the baboon monitors and the baboon management program, which for the past 18 months or so has successfully reduced the incidence of baboon invasions in NV. Apart from covering the cost associated with baboon management, the SRA will also take

over the function of security management and improvement as well as improved verge clearing and alien vegetation control in NV. These matters will be more clearly outlined in Newsletters issued by the NVSRA. Sincere thanks to the generosity of owners who contributed to the financing of the baboon management program prior to the setting up of the SRA. These contributions allowed the concept of baboon monitoring in NV to be properly established and tested, which helped considerably in ensuring majority support and municipal co-operation for establishing the NVSRA. It is interesting to note that baboon monitors have recently been employed by the municipality to cover certain areas of Plettenberg Bay where baboons have become problematic. Bitou Municipality are similarly contributing to the ongoing cost of baboon monitors in NV, as 3 of the 6 monitors are paid for by Bitou under the EPWP (Extended Public Works) programme.

Before the establishment of the SRA the issues of baboon management and security management were handled by the NVRA, so the NVRA will now be able to focus more on liaison with Bitou Municipality on service delivery, infrastructure issues, town planning and building control related matters.

4.2 Review and extension of the MOU (Memorandum of Understanding)

An MOU between the NVRA and Bitou Municipality was signed in 2017. In terms of this agreement the municipality was committed to providing a certain level of service in NV and required the appointment of a “hands-on” Superintendent in place of the previous CLO (Community Liaison Officer).

The MOU is only valid for a fixed period and is now overdue for renewal. Efforts have been made with Bitou Municipal officials to renew this agreement without success, to date, although nothing has changed as far as its implementation is concerned, it is not clear what view the municipality will take now that the NVSRA has been established. The ongoing secondment of a superintendent in NV is crucial to maintaining acceptable service levels and this matter continues to be top of the agenda in communications with the municipality.

On behalf of the NV community, we thank the Municipal Superintendent Marco Barnardo for his continued commitment to ensuring that municipal services in NV are delivered, often under trying conditions, and his very significant co-operation and assistance in ensuring the success of the baboon monitors.

A copy of the MOU is available for viewing on the NVRA website. (nvra.co.za)

4.3 Finalise the settlement agreement relating erf 130 (Tranquillity Lodge)

The Settlement Agreement has been signed by the Applicant (NVRA), the 2nd Respondent (Tranquillity Lodge), and the 3rd Respondent (Bitou Municipality). The document is currently being circulated by our legal advisors, for signature by the 1st Respondent (Minister of Environmental affairs and Planning, Western Cape Government), the 4th Respondent (Premier of the Western Cape) and the 5th Respondent (ABSA Bank). This process, like all matters legal, is taking an inordinately long time, but we are hoping that by the end of this year it will be signed and can then be made an Order of Court. The Agreement basically restricts the current owners or any future owner of expanding or changing the use of the property to anything but the current Guest House.

4.4 Establish NV as an “overlay zone” in term of new Bitou Zoning Scheme regulations

The new Bitou Municipality Zoning Scheme By-Law was gazetted early in July 2023. This by-law sets out the Zoning and Development Regulations which will henceforth regulate the development of land in the Bitou Municipal area. They supersede the Section 8 Zoning Scheme regulations which were national regulations and not specific to any municipality. The new Zoning Scheme By-law is therefore an improvement, however, the properties in NV are subject to development, first and foremost, in terms of Title Deeds which were drawn up specifically to suit the NV environment and differ significantly from the new Zoning Scheme regulations. The main differences relate to the building lines and the “consent uses” permitted in terms of Res 1 Zoning, which applies to all but a few properties in NV.

The new by-law does however permit the establishment of an Overlay Zone which can define development parameters in a clearly defined area, which may differ from the general terms and applications of the by-law. The NVRA believe it is in the interest of NV owners to apply for the establishment of an Overlay Zone, which would protect the township from development which is not in accordance with the Title Deeds. The Title Deeds of properties in NV are, with a few minor differences, identical, and were put in place by the NV

Development Corporation when the township was established in the 1950's. The more generous building lines and the restriction on subdivision and second dwellings have been responsible for NV retaining a special ambience and sense of place within the surrounding forest environment. Any form of densification would destroy the ambience of the village and, more importantly, densification cannot be supported by the very limited infrastructure, particularly water supply and sewage management.

The process of establishing NV as an Overlay Zone will be complex and will involve considerable liaison with the authorities, and owners will be called upon during this process to ensure that the outcome is in the interest of the majority of ratepayers.

The process has been initiated and a NV property owner who is a town planner is kindly assisting the NVRA in discussions with the municipality to establish the correct steps in taking this matter forward. The municipality have agreed in principle to the establishment of an Overlay Zone in NV.

4.5 Streamline the process of dealing with Title Deed infringements.

The NVRA have established a good working relationship with Bitou Town Planning and Building Control in the application of the NV Title Deeds. The Municipality have become very aware of the NVRA's objection to development applications which do not comply with the Title Deeds and are aware that they are obliged to take cognisance of the title deed restrictions, which take precedence over the current zoning scheme regulations when it comes to approving building plans. There are many instances in NV, where properties were developed either without building plan approval or at a time when the authorities were not engaged with ensuring the application of the title deeds when approving building plans. Such "problem properties" are coming to light because owners are finding that they cannot sell their properties without approved plans or submit plans for extensions or alterations if the existing buildings do not comply. In such a situation the owner is required to go through a formal process to "regularise" the existing buildings. This process is generally being dealt with by allowing the "suspension" of the relevant title deed restriction. This will legalise the existing buildings in terms selling or altering the property, but any new works must comply with the title deed restrictions.

The NVRA support this process provided it can be clearly established that the existing buildings were not built illegally by ignoring the established processes for obtaining building plan approval.

The NVRA strongly objects to the "lifting of restrictive conditions of title" to regularise existing buildings or allow new building works unless there are well motivated and logical reasons for lifting of such restrictive conditions. The NVRA consider this as part of their mandate as representatives of the majority of ratepayers in NV.

There are some properties in NV which have 2nd dwellings which are not permitted in terms of the Title Deeds.

Where complaints of such developments are reported to the NVRA they will be considered and where necessary reported to the Municipality for their investigation and action as necessary.

During the course of 2023 the NVRA have submitted five objections to applications for lifting of restrictive conditions of title or other proposals which are not in accordance with the title deeds or amount to unauthorised building works,

A total of 14 sets of building plans have been submitted to the NVRA during the course of 2023 and after agreed adjustments when necessary, to comply with the Title Deeds, have been recommended for approval by Bitou Municipality

4.6 Campaign for Improvements in the reliability of NV water supply Upgrading the NV Water Reservoir.

The increase in the size of the water reservoir from 600kl to 1500kl has been included in the municipal IDP Budget for some years. The budget currently allocates R 4,25 mill for work on site in 2024.

The NVRA have had a number of meetings with Bitou Water Dept this year and have been provided with the design drawings for the upgraded reservoir and the project is currently out to tender. We have a few queries relating to the design, but generally the solution seems to have been well thought out to minimise the environmental impact and keep the construction period to a minimum.

Water Reticulation

As part of the proposed water reservoir upgrade, the main water pipeline into the village was upgraded two years ago and a 200mm main was installed to replace the old 100 mm supply. This upgrading would have

had some impact on the available water pressure in NV, particularly under periods of high demand, however, the asbestos cement distribution pipelines in the valley are prone to breaks and are probably undersized for the increasing demand associated with bigger homes and garden irrigation systems. The municipality have advised that a survey of the system was conducted fairly recently, and we are attempting to get info on the outcome of that survey. Indications are that the municipality are aware of the shortcomings and funding for upgrades and replacement will hopefully appear on the budget in the not-too-distant future.

Quality of water supply.

An amount of R 2,45 million is included in 2024 budget for upgrades to the Water Treatment Works, however it appears unlikely that this will be spent next year as the scope of work is still to be defined. The municipality have appointed consulting engineers to assess the condition of the various water treatment plants in the Bitou region.

A site inspection of the NV works was held in October and various structural and operational weaknesses were identified in discussions with the operating staff. However, it is apparent that the technical staff involved at the NV plant are very competent and procedures being adopted are sound, which is why NV water is generally of good quality. However, there were several aspects related to upgrading and improving the plant, which were noted by the engineers.

An important aspect that was discussed was the feasibility of reducing the risk of contamination by salt water when the lagoon levels are raised unexpectedly by very high seas. The options of constructing a low weir to protect the intake "pool" or moving the intake point upstream were discussed. Currently, potential saltwater contamination is managed by ensuring that the estuary mouth is opened timeously, but the recent experience in September, of very high tides causing flooding virtually overnight show that breaching the mouth timeously is not always possible.

4.7 Campaign for Bitou acceptance/approval of septic tanks in NV

This issue has been a priority for the NVRA for some years, but there are now signs of renewed understanding of our standpoint.

The likelihood of a formal water born sewage system being installed in NV in the foreseeable future is very slim in view of the complexity and cost associated with such a scheme. The NVRA have made considerable endeavours over the past few years to encourage the municipality to abandon the process of converting all properties in NV to conservancy tanks. The honeysucker service in NV during the season is already under pressure, is unpredictable and unreliable. There are only two honeysuckers and they are not always on the road and NV is not the only community requiring their services. Our contention is that increasing the demand for the honeysucker service by insisting on the conversion of septic tanks is irrational. Currently only about 25% of properties in NV have conservancy tanks and require routine collections during the year with high demand during Dec-Jan. According to recent Bitou records for Dec-Jan, 86% of these properties required more than one suck-out during the holiday period.

Good progress was made a few years ago in coming to an agreement with the municipality to establish a process for permitting septic tanks in those areas where they can be proven to function. There are certain areas in NV where Septic Tanks and soakaways work well, and these areas have been clearly defined.

Similarly, there are low-lying areas and areas underlain by clay where soak-aways are not viable.

In view of the impracticality of increasing the demand on the honeysucker service, the NVRA believe the municipality should be insisting on Septic Tanks and their associated soakaways being installed in those areas where they are known to function well, rather than insisting on a slow conversion to conservancy tanks.

Unfortunately, the retirement of officials involved in taking this agreement further, resulted in a complete hiatus for 8 years or so. However, recent changes at management level in the water and sewage dept have allowed these discussions to be resurrected and indications are that we now have support for this initiative and hope that an agreement can be reached early next year.

This is vitally important for NV as the thought of a fleet of honeysuckers running back and forth during the season to take NV sewage up the pass for disposal at Kurland Treatment Works is nerve racking, but even worse is the implication of the honeysucker service not coping with demand which, based on the experience of recent years, is very likely to happen.

4.8 Campaign to improve the quality of the roads and road safety in NV

Roads and drainage

The satisfactory repair of deteriorating roads in the village and particularly the lagoon parking and the approach road presents an ongoing battle. Our superintendent was getting some co-operation in dealing with this, but this co-operation seems to have dried up and certain road edges in the village and the lagoon approach roads are currently in very poor condition. There are similarly certain areas where water is not draining away and severe ponding is occurring, resulting in further deterioration of the road surface.

A recent meeting with the head of the Roads Dept followed by a drive through the village has resulted in some interim repair works and attention to stormwater drainage. But such an ad-hoc approach is not acceptable and ongoing pressure will be required.

Road safety

The matter of improving road safety in NV has been raised with the Roads Dept and Traffic Dept during the course of the year. There are currently 25 speed humps in the valley and a map has been produced showing the position of existing speed humps and the proposed location of 10 more. Five of these additional humps would be in St Andrews. The municipality clearly have no budget for installing these and have shown little interest in assisting in the short term. We are however hoping to have 2 “trial bumps” installed before December to see if there is a cost-effective alternative to the traditional humps. The cost of these would be borne by the NVRA as we believe it is essential to initiate this process in the absence of immediate assistance from Bitou Municipality.

Discussions have been held about reducing the speed limit to 30Kmh and putting in more signage warning of children, pedestrians, and cyclists. No progress has been made yet as budget remains the issue, however it has been included in the NVRA list of “needs” for next year IDP budget.

5. Municipal Matters and Infrastructure.

Ward Representative

Rob Nicol was appointed as Natures Valley Ward Representative in 2022. In this position he has close liaison with Jessica Kamkam the Ward Councillor for Ward 1, and attends the ward council meetings to ensure, where possible, that NV needs are being addressed. We thank Rob for his dedication to this task.

Integrated Development Plan (IDP) Budget

Each year the NVRA submits a schedule of “Needs and Wants” to Bitou Municipality via the Ward Committee as required by the municipality as part of the IDP process. The budget which is generally finalised in March/April each year, establishes the municipal expenditure budget on a rolling 3-year basis. The matters included in the NVRA submission for 2024/25 are: Water supply, Sewage Management, Public Toilets, Roads, Road Safety, Electrical Infrastructure and Organic waste disposal.

The current NVRA IDP submission, for the financial year 24/25 can be found on the NVRA website.

6. Estuary Water Quality

There has been some concern over the years about the quality of the water in the estuary, particularly during the holiday season when the lagoon is heavily utilised for recreation purposes. Of major concern is the E-coli level which tend to increase when the mouth is closed, causing the estuary water level to rise and then drain out drawing pollutants into the estuary. This situation is common in the December/January holiday season when the Valley and adjoining campsite are filled to capacity.

When the water level rises, and then drains away, there are a number of potential sources of such pollution, particularly the conservancy tanks in the SANParks campsite, the forest adjacent to the river which is used for informal ablutions, overflowing conservancy tanks in NV and septic tank soakaways in unsuitable areas.

Regular water sampling is undertaken during the year by Bitou Municipality, Garden Route District Municipality (GRDM), SANParks and the NVT. The NVT receive the results from the various authorities and a NVT report on these results over the past 12 months or so, have recently been uploaded to the NVRA website where they can be viewed by interested persons. It is important to note that the E-coli levels have been well below a level which is considered dangerous (500 counts per 100ml). We have been advised that both Bitou Municipality and the GRDM will conduct weekly tests during the coming season to ensure that if high levels of E-coli are detected signage will be erected to warn users, as has been done in past years.

The NV lagoon has been well flushed out during the course of the year as a result of good rains and the mouth has been open for extended periods.

7. Contractual National Park (CNP)

Contractual National Park Agreement

Many NV owners will be familiar with the fact that certain municipality owned erven in NV (ie the properties along the lagoon edge as well as the coastal dune) are managed as part of the Tsitsikamma National Park as a result of a Contractual National Park agreement, which was driven by the NVRA and signed in 1994 by The Parks Board (now SANParks), the Local Council of Natures Valley (now Bitou Municipality) and the NVRA. In terms of this agreement the Parks Board took over management responsibility for the lagoon edge properties and for the coastal dune. In terms of the agreement these properties will be afforded maximum conservation status in accordance with the National Parks Act. The estuary itself and the forests which surround NV have always formed part of the Tsitsikamma National Park and now form part of the greater Garden Route National Park. The duration of the CNP Agreement is 30 years and this is automatically renewed for 10 years if no party declares their intention to terminate. It is obviously vital for the unique ambience of NV that this Agreement remains in place and is adhered to by the Parties, which generally is the case, although the allocation of funding and manpower by SANParks has shown signs of diminishing over the years. The NVRA will continue to do whatever is needed to support SANParks in their invaluable involvement in ensuring the protection of these delicate eco-systems.

The CNP Agreement can be viewed on the NVRA website.

SANParks Section Ranger

A new Section Ranger was recently appointed to take responsibility for the Tsitsikamma section of the GNP. He is based at the Bloukrantz forest station, we take the opportunity to welcome Elias Mthimunye to his new post and wish him well in dealing with the challenges of maintaining and improving the environment on a tight budget. We have met with Elias, who has many years of useful experience in other coastal regions and his enthusiasm for his new post is much appreciated. Elias is also responsible for the upkeep of trails in the Tsitsikamma section and has shown enthusiasm for resolving the landslip on the Salt River Trail and investigating the reasons for the continued closure of the Grootkloof Daywalk. We look forward to positive developments on these fronts in the near future.

8. Environment

The NVRA continue to have a very close working relationship with the Natures Valley Trust and the two organisations together, have been nominated by SANParks for a Kudu Award for 2023 for the years of co-operative effort in researching and managing baboon-human interactions in NV, which resulted in the formation of an SRA to minimise the negative aspects of living so closely with baboons.

The NVT have also recently appointed a new member of staff, Giorgio Lombardi who, amongst other things, will focus on environmental issues in the village and take steps to resurrect the NV Urban Conservancy and educate and encourage property owners who support the concepts of an urban conservancy.

The NVRA believe that such a development is very positive for the protection and enhancement of the indigenous fauna and flora in our streets and gardens.

9. Dogs and wildlife

The NVRA strongly support adherence to the Municipal By-laws relating to dogs. The by-laws have been put in place to enable dog-owners and non-owners to exist peacefully together and protect the wildlife. This is particularly relevant in NV. It is impossible for the by-laws to be policed effectively so owners need to be responsible and understand the impact that free-roaming dogs can have on other people's enjoyment of the valley and the beaches. Dog owners need to accept that older folk and young kids can be intimidated by dogs which are not kept under control and accept that not everyone loves your dog, so please keep them to yourselves and make sure they leave nothing behind. Where they are allowed to run free, please keep them under supervision and deal with their deposits!

There was a very unfortunate incident in the valley recently where a resident's dog which was roaming in the streets attacked and killed a bushbuck. There is not much one can say except it was not an accident and should never have happened.

10. Finances

There have been unusual demands on the NV community for funds over the past eighteen months or so with requests for contributions to keep the Baboon Management Program going prior to the establishment of the SRA and a request for assistance with meeting immediate legal expenses and anticipated ongoing expenses associated with the establishment of the NV overlay Zone. We sincerely thank all those who have continued to contribute to the NVRA to help ensure that effective administration can continue, and urgent and important expenditure can be accommodated.

A vital aspect of ongoing strong support for the NVRA is that without that proven support the validity of any applications or objections to Bitou Municipality on a variety of issues is diminished. So, we ask that if you support the NVRA's commitment to fighting for the integrity and sustainability of the village under increasing development demands, that you please show this support by contributing or maintaining your membership via your annual voluntary contribution. The recommended current annual contribution is R 1000, but any amount will be appreciated, to indicate support for the organisation.

The audited financial statements for the NVRA will be available for viewing in the NVRA office from mid-December 2023.

11 NVRA Website

The NVRA website has recently been reviewed and updated to improve access and make it easily usable on a cell phone. In addition, an effort has been made to ensure that all relevant NVRA reports and important documents are available for viewing on the Website which we regard as useful tool for distributing information as well as storing important documents for immediate and future reference.

Our thanks go to Roy Parkhurst for his valuable assistance in this process.

12 In Conclusion

I sincerely hope that this report has been informative and that the efforts of the NVRA over the past year have contributed positively to your investment in and enjoyment of Natures Valley. We would encourage more owners and their families to attend the AGM each year as it is a good opportunity to raise issues which you feel should be addressed or receive special attention by the incoming committee. Similarly, communication with the NVRA by e-mail would be appreciated and every effort will be made to deal with matters which are raised. The NVRA exists to serve the interests of the ratepayers.

On behalf of the NVRA Committee, I wish all owners and their families a happy festive season and all the very best for 2024.



Doug Blaine
Chairman

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