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Our ref: C1G07

The Minister of Local Government, Environmental Affairs
And Development Planning
9th Floor
1 Dorp Street
Cape Town
8001

Per email

And to

The Acting Municipal Manager
Bitou Municipality

Per email

30 March 2026

Dear Sirs

RE: WATER SUPPLY AND ASSOCIATED ISSUES - BITOU MUNICIPALITY

We act on behalf of the Plettenberg Bay Ratepayers and Residents Association.

We refer to the above matter and to our letter dated 12 February 2026 addressing you on our Client's concerns with regard water supply and associated services in Bitou Municipality. A copy of this letter is attached for ease of reference.

Bitou Municipality continues to approve new developments and social housing projects, despite openly acknowledging, through its declared State of Disaster and ongoing Stage 4 restrictions, that its water supply is critically constrained. None of the short- to medium-term augmentation projects are under construction or funded, leaving no credible pathway to increase raw water supply within the next 12–24 months.

The Bitou Municipality is currently largely dependent on variable abstraction from the Keurbooms River, which is itself reliant on sporadic rainfall, compounding supply uncertainty. The sole storage source, Roodefontein Dam, remains at critically low levels, fed by a poor-yield catchment and subject to a restrictive user agreement. No additional provision has been made in the adjustment budget to address this crisis. At the same time, ageing and failing reticulation infrastructure, much of it asbestos-based, is subject to frequent pipe bursts and requires an estimated R350 million for replacement, while wastewater treatment works are already operating at or beyond capacity and intermittently failing compliance standards.

In these circumstances, continued approval of housing applications is reckless, exposes residents and the local economy to escalating risk, and is inconsistent with both sound governance and legislative obligations.

Bitou has had water restrictions since September 2025 yet there been no communication on what has been done nor is planned to be done to fix all the problems.

Our Client has a major concern in that there is no abatement in the number of planning approvals for additional units within Bitou Municipality, notwithstanding the fact that Bitou Municipality by its own admission has a water demand that is exceeding the supply – please see attached from The Bitou Municipality's *"Annual Water Services Development Plan Performance and Water Services Audit Report"* of 23 October 2025, at page 291, which showed that in 2023 Plettenberg Bay exceeded the yield as the recommended augmentations shown as the grey blocks are not being implemented. The yield is represented by the purple line which becomes dotted as augmentations are added. The green bars represent water use.

Thus it is evident that water demand had exceeded the available capacity and that supply could only match demand if a number of critical augmentation projects were delivered. This report was approved by Council.

Our Client is thus of the view that the Bitou Municipality is breaching the provisions of the Compulsory National Water and Sanitation Services Standards promulgated under the Water Services Act 108 of 1997 and published in Government Gazette 52814 on 6 June 2025 which provides:

"11(2) These regulations provide that "Municipalities and WSAs are prohibited from approving bulk user connections to existing water and wastewater systems without having the necessary capacity to serve as such used the connections. This means that a municipality may not approve new/additional bulk user connections to an existing water or wastewater treatment system unless that system has the capacity to deal with the additional load (ability to operate according to technical specifications).

and

11(3) municipalities may not approve any new developments that will connect to an existing wastewater treatment system unless such system has the capacity to deal with the load from the development."

In terms of the Compulsory Water and Sanitation Standards, it is unlawful to continue approving housing development when the municipality cannot provide adequate water or sewerage services.

Our Client's concern stems from the recent application for a residential settlement on Farm Hangklip for around 200 units. Erf 6503 behind Plett Primary for 50 units was provisionally approved in December 2025 notwithstanding that it was noted that the Ganse Vallei WWTW did not have capacity to accommodate sewerage from this development. Presumably Erven 1725 and 156 will be subject to this restriction since they have not yet been approved. Other large developments, not yet approved to our knowledge, but presumably still under consideration for approval would be erven 2073, erven 2074, and 8010 (Airport/Plettenberg Park).

Based on the above, it is evident that development applications are still being proposed and considered regardless of the current availability of water and new environmental legislation.

Our Client thus requests that you investigate the issues we have raised and put in place a proactive management support programme/interventions to assist the Bitou Municipality to ensure that all development approvals comply with all legislation and further consider the consequences of such development approvals on water and bulk infrastructure capacities within Bitou Municipality, for the benefit of the residents of Plettenberg Bay.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Hiscox', written in a cursive style.

Hiscox and Associates