Enquiries
Marius Buskes

Contact details
044 501 3436

E-mail
mbuskes@plette.gov.za

File ref: 18/98/444
06 November 2019

The Worx
Po Box 2526
Plettenberg Bay
6600

Dear Sir,

PROPOSED OCCASIONAL USE OF LAND: PORTION 98 OF THE FARM GANSE VALLEI NO 444 – RAGE FESTIVAL

1. The Director: Economic Development and Planning made the following decision on 04/11/2019:

2. That approval be granted in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:

   a) The occasional use of Portion 98 of the Farm Ganse Vallei Nr.444 for the annual “Rage Student Festival” between 29 November and 6 December 2019 between the times of 20:00 to 02:00.

3. That approval be refused in terms of Section 60 of the Bitou Municipality: Land Use Planning Bylaw (2015) for:

   a) A multiyear approval from 2020-2021 for the occasional use of Portion 98 of the Farm Ganse Vallei Nr.444 for the annual “Rage Festival”

4. The above approval is subject to the following conditions imposed in terms of Section 66 of the Bitou Municipality Land Use Planning Bylaw (2015):

   i. That the approval applies only to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from council;

   ii. The festival will be held on the location (Ptn98-444) between 29 November and 06 December 2019.

   iii. No private vehicles, beyond that permitted by the organisers to the site. A dedicated park and ride bus system must be in place that would transport the public to the event.

   iv. The SAPD, Western Cape Provincial Traffic Department, Municipal Law enforcement or Bitou Traffic must be present at the event.

   v. Provincial and local law enforcement shall be on duty at all times during the event to regulate and manage the traffic flow along the N2 and Rietvlei Road intersection, specifically the ingress from and egress onto the national road.

   vi. In terms of the flood lighting, please note that any light source or beam not meant for illumination shall be positioned or aimed so as not to shine directly onto, or at the national road. Further, the light beam shall not

Email
daron@the-worx.co.za
By Hand
be moved or orientated in such a manner as to distract the attention of driver’s vehicles utilising the national road from the task of driving.

vii. No closure of the National Road will be allowed.

viii. No advertising material or directional signs shall be attached to any road traffic signs/or erected inside the road reserve of the National Road.

ix. No parking along the N2 in the vicinity of the festival area will be allowed.

x. The safety of road users must be taken into account at all times.

xi. The applicant shall accept full responsibility and shall indemnify the SANRAL against, and hold it harmless from any claims or damages which may be instituted or suffered by any person, including legal costs, as a result of any failure to comply with the conditions contained in the letter from SANRAL dated 06 June 2019.

xii. SANRAL reserves the right to stop the use of the N2/Rietvlei Intersection, should it be found that the applicant does not comply with any conditions herein stated.

xiii. That the applicant will implement and enforce the recommendation of the Sound Engineer’s Report and that the sound level will be reduced from 01:00.

xiv. That the recommendations of the Safety Plan compiled by the Worx dated 30 April 2019 be implemented and enforced.

xv. That cognisance be taken of the 3m pipeline servitude that traverses the property and that care should be taken that no damage takes place when setting up any stages or structures.

xvi. The event organiser will be liable for any cost incurred for rendering any municipal services for the duration of the event, as agreed to by the relevant department/s and in accordance with the approved Municipal fees or tariffs. The necessary written arrangements need to be made with the relevant department/s prior to the event.

xvii. That building plans for all temporary structures be submitted for approval and that no occupation be permitted until such plans are approved.

xviii. An evacuation plan must be approved by a certified engineer/ competent person and must be submitted to the relevant Municipal Department prior to the event.

xix. A Health and Safety plan must be approved by a certified engineer/ competent person and must be submitted to the relevant Municipal Department prior to the event.

xx. That the event organisers (The Worx) indemnify Bitou Municipality against any legal action taken against the Municipality, and that the necessary agreement is signed before the event takes place.

5. Reasons for the above decision are as follows:

a) No objections were received from the public.

b) No objections were received from internal Municipal Departments.

c) No objections were received from the Relevant External Authorities.

d) The use is temporary in nature and will only be in operation for a period of 8 days.

e) A multiyear approval will not be granted for health and safety-related reasons.

f) A land development application for the occasional use of land must be made on a year by year basis for relevant authorities and the public to comment on the proposed application.

g) The site is considered suitable in terms of size, locality and accessibility.

h) The Student Rage Festival injects a significant amount of capital into the Bitou Municipality’s local economy.
6. You are hereby informed of your right to appeal to the Appeal Authority in terms of section 79(2) of the said legislation.

7. The attached appeal form must be completed and should be directed to the Municipal Manager, Bitou Municipality, Private Bag X1002, Plettenberg Bay, 6600, within 21 days of notification of this letter with proof of payment of the appeal fee.

8. If you exercise your right to appeal, you are requested to simultaneously serve notice of the appeal on any person who commented on the application and any other persons as the Municipality may determine. Proof of serving the notification must be submitted to the Municipality, within 14 days of serving the notification.

9. The notice must be served in accordance with section 35 of the said legislation and in accordance with the additional requirements as may be determined by the Municipality. The notice must invite persons to comment on the appeal within 21 days from date of registration of the appeal.


11. A notification in terms of Section 61 of the Bitou Municipality Land Use Bylaw (2015) will confirm the coming into operation of the approval, if no appeals were received within 21 days of notification of this letter.

Yours faithfully

[Signature]

David Friedman
Director: Economic Development and Planning