



SAVE

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Save the Vaal Environment

12 August 2018

OPEN LETTER TO MINISTER **GUGILE NKWINTI**, MINISTER OF WATER AND SANITATION

Dear Minister

We refer to the press release issued by your department on 7th August 2018 relating to the recent fish kill on the Vaal River near the Barrage in which it was stated "that most of the fish kills in the area is caused by chronic stress conditions due to the sustained lower oxygen concentrations, which is a result of natural variations".

The author of this statement is either ignorant or dishonest. Given the extremely high levels of sewage pollution of the River because of the total failure of the municipal waste water management system, to suggest that the oxygen depletion in the River is due to "natural variations", is preposterous. We are concerned that the statement is intended to mislead the public, and more seriously, to mislead you. The truth of the matter is that the River between the Vaal Dam and Parys, is so polluted at present, it retains very little "natural" function, and it is no surprise fish are suffocating in what has become an open sewer.

Your department is well aware of these facts and you should be too.

The spokesperson claims that your department has issued "five notices and six directives to the municipality in relation to the sewer spillages along the Sedibeng sewer scheme". Have any of these notices or directives led to any action against the municipality (Emfuleni Local Municipality) by your department? The answer is "no". Simply put, your department has failed dismally to discharge its constitutional mandate to protect the water resources of the country, and this is most acutely illustrated by the state of the Vaal River at present, a condition it has been in for more than a decade.

Registration Number - 011015200004

Committee members: Malcolm Plant - 0825662101 (Chairperson); Maureen Stewart (Vice-chairperson) – 0825705058; Chris Williams – 071 565 1688; Thomas du Toit - 082 419 6526; Samson Mokoena – 084 291 8510; Desiree du Toit; Johan du Toit; Irene Main - 078 521 1676; Warren Flores; Mike Gaade – 0825686826; Belinda Daymond- 0828078888.

Patron: The Hon. Justice W.L. Wepener

During this time, SAVE has obtained nine court orders against the Municipality, the most recent being in February 2018 in the form of a “structural interdict” which required the Municipality to immediately prevent discharges of sewage into the River, to fix broken infrastructure and to report back to the court on its compliance with the order and the implementation of a comprehensive plan to restore the functioning of its failed wastewater management system. The Municipality has not been able to comply with the court order and is in contempt of some of its provision. The Municipality does not have the financial or other resources necessary to carry out the court order. Where has your department been during this time of crisis? Hiding behind statements of deniability of the facts such as the one referred to above, and a complete abrogation of responsibility for its constitutional mandate.

We appreciate that your predecessor in the portfolio of water and sanitation has left you with a department that is both morally and financially bankrupt. You have our support in the efforts you must make to restore the integrity and functionality of your department, but you will not get it if we must respond to the kind of irresponsible statements contained in this recent publication by your department.

Matters have been taken largely out of your hands and the hands of the Municipality by the decision of national government to place the Municipality under the financial administration of the Gauteng Premier, the MEC Cooperative Governance and Traditional Affairs, backed by Treasury, in terms of section 139 of the Constitution read with section 139 of the Local Government Municipal Finance Act.

SAVE was about to haul the Municipality back to court, and to join your department to the court action, but is now working with the Premier’s team to implement the comprehensive service delivery plan it has devised for the Municipality. SAVE will ensure that solving the current pollution crisis is given highest priority. If the best your department can do is put out nonsensical statements about the state of the River, we suggest that they move out of the way so that a real solution to the problems of the Vaal can be implemented.

Best you direct your efforts to fixing your broken department so that it can discharge its important statutory mandate, and when you have done this, your department might have a role to play combatting the pollution of the River by sewage.

Yours sincerely

MALCOLM PLANT
CHAIRMAN