

09 July 2020

Attention: The City of Cape Town Metropolitan Municipality:

To: Mr Richard Nel
Manager for the Water Quality Improvement Project
City of Cape Town Metropolitan Municipality

Per: E-mail: Richard.Nell@capetown.gov.za

And to: Mr Michael Webster
Office of the Executive Director:
Water and Waste Services

Per: E-mail: Michael.Webster@capetown.gov.za

Dear Sirs,

RE: MILNERTON / DIEP RIVER WATER CONTAMINATION
OUR REF: L9/BD/04
YOUR REF: UNKNOWN

1. With reference to the above.
2. The Organisation Undoing Tax Abuse ("OUTA") is a proudly South African non-profit civil action organisation, comprising of and supported by people who are passionate about improving the prosperity of our nation.
3. OUTA is further geared towards the harmonious cooperation with government on various levels and seeks to assist government wherever necessary in carrying out its mandate in the interests of the citizens of South Africa.
4. In the spirit of transparency and cooperation, we endeavour to write this letter.

ORGANISATION UNDOING TAX ABUSE NPC

Reg No.: 2012/064213/08

Directors: W Duvenage (CEO), Adv. S Fick

Non-Executive Directors: F Adam (Chair), P Majazi, W Modisapodi, LP Pauwen, T Pillay Van Graan, Dr H Volmink

ADDRESS: O'KEEFFE & Swartz Building, 318 Oak Avenue, Randburg, Gauteng

CONTACTS: 087 170 0639 • info@outa.co.za • www.outa.co.za

5. Kindly take note that we have been informed by our independent water sampler, that on 08 July 2020, he was escorted from the Potsdam Wastewater Treatment Works' premises and threatened by security members. Kindly see attached hereto an incident report compiled by him, setting out what transpired.
6. Contained in the incident report, you will note that the sampling points (called "PDA" and "PDC"), strictly speaking does not form part of the Potsdam WWTWs' property. The points where OUTA conducts the sampling does fall within the Table Bay Nature Reserve (according to the Reserve's map). We believe that we are within our rights to conduct the sampling at the points mentioned above and that we are not transgressing on private property. There is no prohibitive signage displayed and access to these points can be obtained from the roadside.
7. We fail to see as to why the sampler was treated with so much hostility and can only deduce that the City of Cape Town (especially at the Potsdam WWTW) does not want to cooperate or be transparent with the result of the effluent being discharged from the Potsdam WWTW into the Diepriver Estuary.
8. According to our results for the past couple of months, the effluent being discharged at these (mentioned) sites, do not (a) comply with the Water Use License for Potsdam and (b) are completely contradictory to the results published in the public domain, by the City of Cape Town.
9. We believe that we have a right to conduct independent water tests, at these sites, seeing that the result thereof is of great public interest.
10. OUTA will not cease in conducting the independent water tests along the Diepriver Estuary, until such time as the public trust is restored in the City of Cape Town and the pollution issue is resolved.

11. We do however deem it critical to still be able to conduct our water sampling at the above mentioned sites, in order for the public to monitor the effluent that is being discharged from the Potsdam WWTW into the Diepriver Estuary.
12. We are approaching the city in the spirit of cooperation, in order for us to still continue with our sampling at these sites. We are even willing to enter the premises through the main gate and to then be escorted to and from these sampling points by a staff member (security guard) of the Potsdam WWTW. These site visits will however have to be unannounced, in order to maintain the integrity of the samples being taken.
13. Furthermore, we have no issue with the person escorting the sampler, to be present during the taking of the samples as all our samples taken to date, are transparent and follow strict procedural guidelines.
14. With reference to the above and the attached incident report, kindly advise whether the City will be amenable for us to continue conducting our water sampling at the Potsdam WWTW.
15. Kindly may we have the city's response to our request on or before 15 July 2020.
16. Should you have any queries, kindly contact OUTA's Legal Project Manager, Ms Andrea Korff at andrea.korff@outa.co.za.
17. We trust that you find the above in order and look forward to receiving a favourable response.

Yours Sincerely



Andrea Korff

Legal Project Manager

Organisation Undoing Tax Abuse

E-mail: andrea.korff@outa.co.za