



**environment, forestry
& fisheries**

Department:
Environment, Forestry and Fisheries
REPUBLIC OF SOUTH AFRICA

Ref: O2/1/5/2

NATIONAL COUNCIL OF PROVINCES

(For written reply)

QUESTION NO. 584 {CW643E}

INTERNAL QUESTION PAPER NO. 28 of 2020

DATE OF PUBLICATION: 11 September 2020

Mr A B Cloete (Free State: FF Plus) to ask the Minister of Forestry, Fisheries and the Environment:

- (1) Whether her Department is currently investigating any incidents of pollution by municipalities; if not, what is the position in this regard; if so, (a) which municipalities are being investigated, (b) what are the details of such investigations at each municipality, and (c) what is the status of each investigation;
- (2) whether such investigations have found any individuals to be guilty of causing pollution; if not, what is the position in this regard; if so, what are the relevant details; and
- (3) whether she will make a statement on the matter?

584. THE MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT REPLIES:

- (1) The Department of Environment, Forestry and Fisheries (DEFF) is currently investigating the following municipalities in relation to pollution incidents. These investigations are ongoing and will be reported on once concluded. A list of municipalities where we are undertaking administrative enforcement action is as follows:

ADMINISTRATIVE ENFORCEMENT MATTERS			
Buffalo Metropolitan Municipality	City	Dumping of waste.	Directive issued. Commitment made to clean up this waste. Awaiting appointment of service providers.
Buffalo Metropolitan Municipality	City	Discharging effluent/sewage into Coastal Waters.	Notice of intention to issue a Directive and Coastal Protection Notice issued and no representation received. Final notice drafted and under consideration.
City of Tshwane Metropolitan Municipality		Disposal of sewage into a wetland.	Compliance Notice to be issued in order to instruct remedial actions to be undertaken.
Lekwa Municipality	Local	Pollution caused by failing sewage infrastructure and blocked manholes, resulting in overflows.	Notice of intention to issue a compliance notice will be issued which will allow this municipality an opportunity to make representations before a final notice is considered.
Rand West Municipality	Local	Health Care Risk waste was unlawfully disposed of on land owned by the municipality.	Notice of intention to issue a Compliance Notice was issued. HCRW was removed in June 2020 and matter closed out.
City of Cape Town		Pollution caused by poor effluent quality from WWTW and failing sewage infrastructure resulting in overflows from Pump stations.	Notice of intention to issue a Directive issued. Representations received, and Final Directive drafted and under consideration.
Kouga Municipality		Pollution caused by continuous overflow of sewage from pump station into coastal waters, as well as illegal diversion of sewage from street manhole to the storm water channel.	A Notice of intention to issue a Coastal Protection Notice was issued. Following representations, a Final Coastal Protection Notice was issued in February 2020. Matter still on-going and a response to rehabilitation plan submitted for consideration.

(2) The DEFF has not obtained a guilty verdict yet in respect of any of the cases where a criminal prosecution has been initiated against a municipality. There are however a number of DEFF cases in relation to which the National Prosecuting Authority has decided to prosecute and which are currently in the criminal court processes. In terms of administrative enforcement action, some municipalities are responding positively once notices / directives are received, and have begun to implement measures in line with these notices or attend to clean up procedures. In the event that notices are not complied, these matters will be referred for criminal prosecution.

(3) As indicated in the table above, in many instances cases are still under investigation or within the criminal court processes. Any statement in this regard will be premature.

Regards



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MS B D CREECY, MP
MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT
DATE:.....23/09/2020.....