

## Wake up call – Pinehaven Raw Sewage

Have you ever wondered why the water level of the dam in Steynsvlei has not appreciably dropped although there has been no rain lately? The answer is that the dam is actually fed by raw sewage and not water.



Have you ever wondered why there is water running in the channels next to the N14 road and along the wetland towards and into the dam? The answer is that there has been a continuous discharge of raw sewage discharge from the Pinehaven Country Estate waste water pumping station for the past few months.

## What does this mean?



It means that all boreholes in Steynsvlei and Northvale are irrevocably polluted with massive implications for you, your family, your pets and livestock. You cannot see the gross infestation of bacteria like E coli and other dangerous pathogens, but in due course you will notice the effect



of your poisoned land and gardens on you, your family and your crops. You may also not realise that the source of many of your ills is the contaminated water that you are exposed to. Furthermore, if the N14 develops potholes or starts to crack close to Francis Road, this is due to the marshland that has been created next to it.



## Who is the culprit?

Mogale City Local Municipality (MCLM). In 2005 MCLM already had the final route for a waste water pipeline through Steynsvlei to the Driefontein Waste Water Treatment Works. In 2008 developers wanted to upgrade at their cost the severely under designed pumping stations at Pinehaven Country Estate to accommodate all future waste water south of the N14 road. In 2009 MCLM received a Record of Decision from the Gauteng Department of Agriculture and Rural Development for the waste water line through Steynsvlei, only to let it lapse in 2014. Nobody knows what happened to the Millions budgeted for the ' Muldersdrift Bulk Sewer' or whether the thousands of Rand in wasted and fruitless expenditure to consultants were ever declared. In 2015 a waste water modular package plant was proposed for the potential developments south of the N14, also incorporating the waste water generated by 240 houses in Pinehaven. This solution would have resulted in green drop status water and the end of all the Pinehaven pumping station problems. Meanwhile, under cost centre 1477 Mogale City will be spending R77,324,413 in the 2017/2018 financial year for a waste water treatment plant for Magaliesburg. Is there going to be an urban explosion in Magaliesburg?



## What now?

You can wait for a catastrophe to hit you or you can do something about what could be construed to be acts of malfeasance or a dereliction of duties, otherwise just plain bureaucratic indifference, incompetence, corruption and gross mismanagement.



## How?

In terms of the Constitution you have the right to a clean environment. In terms of Section 237 all constitutional obligations must be performed diligently and without delay. You also have the right to keep your land beautiful and toxic free for your children, grandchildren and pets.

Write to or contact the new Mogale City Local Municipality Executive Mayor Patrick Lipudi and the new Municipal Manager bringing this life threatening matter to their attention for facilitating a permanent solution. It is quite possible that the Municipal Manager may not know that he will be put on terms and could be charged for contempt of court in terms of a 2005 High Court judgment on spillage from Pinehaven, the spillage problem having vastly escalated since then.

In contrast to other municipalities where residents and civil society got involved in taking over the functions of the local authority, in the case of MCLM this is not possible, as it is a structural and design problem. On the other hand, in terms of a Supreme Court of Appeal judgment, you cannot withhold rates and taxes payments and you cannot stop payments for services as you do not receive services anyway.

Time is not on your side as the sewage problem has to be resolved urgently, but as an alternative you may wish to engage with organised civil society organisations, and let the organised civil societies facilitate court action. You can also contact the national hotline at 0800 205 005 on Environmental Incidents and Violations or the provincial hotline.

You can take legal advice to sue for damages or go for arbitration if you discover your property is now worth very little, as a businessman did last week and got awarded R10 million plus costs against Mogale City on roads access issues around his 2ha smallholding at Cradlestone Mall/Furrow Road.

You may wish not to do anything and pay the price with unexplained illnesses and dramatic drops in the value of your property as this problem starts attracting media attention.



## SECTION 24 OF THE CONSTITUTION OF THE REPUBLIC OF SOUTH AFRICA, 1996

*Everyone has the right to an environment that is not harmful to their health or well-being; and to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that prevent pollution and ecological degradation; promote conservation; and secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.*



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