11 Augustus 2026

Mr B. Motloung
Acting Municipal Manager
Metsimaholo Local Municipality
Metsimaholo Civic Centre
Fichardt Street
SASOLBURG
1947

By email: mmsecretary@metsimaholo.gov.za

Dear Mr Motloung

CONTINUOUS DISCHARGE OF RAW SEWAGE INTO LEEWSPRUIT AND EVENTUAL POLLUTION OF THE VAAL RIVER

AfriForum is a non-profit organisation with its main purpose the protection of the constitutional rights of its members and the communities to which our members belong. We act on behalf of our members residing in Sasolburg, who gave AfriForum the mandate to address the local sewage issues on their behalf.

AfriForum hereby formally records its serious concern regarding the ongoing discharge of raw sewage originating in the vicinity of 17 Waterkant Street and at the Sasol Chemcity Eco Industrial Park, where untreated sewage is flowing into the Leeuwspruit watercourse and ultimately into the Vaal River.

This matter is not new. Similar incidents have occurred previously. We have been informed that the current sewage spill has already been reported to the municipality on **six separate occasions**, yet no effective remedial action has been taken. The continued inaction is unacceptable and constitutes a significant risk to public health, the environment, and downstream water users.

Furthermore, it has come to our attention that certain residents are deliberately allowing sewage from their properties to discharge into the adjacent green belts and surrounding veld. Such practices contribute further to environmental degradation and pose serious health hazards. We request that the municipality investigate these incidents, enforce the applicable municipal by-laws, and take appropriate action against any offenders.

The municipality has both a constitutional and statutory obligation to prevent pollution and to ensure the proper management of sanitation infrastructure. We draw your attention to the following legislative provisions:

- **Section 24 of the Constitution of the Republic of South Africa, 1996**, which guarantees everyone the right to an environment that is not harmful to their health or well-being and requires the protection of the environment for present and future generations.

- **Section 152(1)(b) and (d) of the Constitution**, which require municipalities to ensure the provision of services in a sustainable manner and to promote a safe and healthy environment.
- **The National Water Act, 36 of 1998**, particularly **Section 19**, which places a duty on any person responsible for activities causing water pollution to take all reasonable measures to prevent such pollution from occurring, continuing, or recurring.
- **The National Environmental Management Act, 107 of 1998 (NEMA)**, particularly **Section 28**, which imposes a general duty of care requiring reasonable measures to prevent pollution and environmental degradation.
- **The Water Services Act, 108 of 1997**, which places an obligation on water services authorities to provide effective, efficient, and sustainable sanitation services and to maintain infrastructure accordingly.

The municipality's continued failure to address the reported sewage spill may constitute a breach of these statutory obligations and may expose the municipality to legal consequences should the pollution continue unabated.

AfriForum therefore demands that the Metsimaholo Local Municipality:

1. Immediately repair the source of the sewage spill at or near 17 Waterkant Street.
2. Prevent any further discharge of untreated sewage into the Leeuwspruit and ultimately the Vaal River.
3. Investigate the unlawful discharge of sewage from private properties into public open spaces and enforce the relevant legislation and municipal by-laws.
4. Provide AfriForum with written confirmation, within **seven (7) days** of receipt of this letter, detailing the remedial measures already taken and indicating when the matter will be permanently resolved.

Should the municipality fail to take the necessary action within a reasonable period, AfriForum reserves all of its rights, including referring the matter to the relevant regulatory authorities and pursuing any further legal remedies available in law.

We trust that the municipality will treat this matter with the urgency it deserves.

Kind regards

Yours sincerely

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