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To:
City of Cape Town
Environmental Management, Spatial Planning & Environment

Mr Keith Wiseman
Ms Lorraine Gerrans
Ms Wood

Table View, 27. January 2022

MILNERTON AQUATIC CLUB

Dear Mr Wiseman, Ms Gerrans and Ms Wood,

As you know the City's purported closure of the lakes located on property owned by the WWF has caused much damage to the community. Not only has it resulted in hundreds of Capetonians who use the vlei for exercise and recreation being denied their Constitutional rights, but the extended closure has affected businesses, damaged the reputation of Cape Town as a watersports destination and has brought Milnerton Aquatic Club ("**MAC**"), as one of the largest sailing clubs, in the country to the brink of collapse.

The purported closure was caused by supposedly high levels of ecoli in the water in the lakes which the City itself linked to pollution caused by the City's incompetence in managing the sewerage system. Despite the City's admission of culpability, the City has failed to comply with the law regarding the steps to be taken to arrest the pollution and remediate the damage caused.

The latest notice from the City purporting to close the lake was dated 29 December 2021 and the City reported that high levels of ecoli had been observed during an extended prior period during which the lake had been open.

MAC took the decision to have its own water tests conducted. On 31 December 2021, samples were taken by MAC management at the same sites at which the City's samples are taken. These samples were handled in accordance with the specified protocol and sent to Merieux laboratory in Cape Town on the same day. The laboratory found almost no ecoli in the samples (no growth at MAC slipway and tiny amount of ecoli of 10cfu/100ml at RTV02).

On 17 January 2021, the City took samples for testing. As agreed with the City, a representative of MAC accompanied the City and took samples on behalf of MAC at the same spots at the same time as the City. These samples were again handled in accordance with the protocols and sent to Walab laboratory in Stellenbosch on the same day. The City's laboratory reported dangerously high levels of ecoli. WALAB laboratory reported no ecoli in the samples they received.

Given the discrepancy between the City's results and the MAC's results from two different, independent laboratories, on 25 January, MAC engaged the University of Cape Town ("UCT"). UCT's Dr. Kevin Winter, who is a Senior Lecturer in Environmental and Geographical Sciences, lead researcher at UCT's Future Water Institute, and is widely published on urban water management, conducted testing on the water. Having themselves taken and handled the samples in accordance with protocol, UCT submitted the samples for testing at Abbott Laboratories. Abbott found only tiny quantities of ecoli in the water – almost undetectable.

MAC has therefore obtained three separate sets of tests results from three separate laboratories that contradict the City's finding of dangerous levels of ecoli in the water. Given the involvement of UCT water experts, there is no doubt that MAC's results are accurate. These show that there is almost no ecoli in the water and that the water is certainly safe for recreation.

We note that the City has closed all of the recreational lakes in Cape Town due to the same ecoli problems and at roughly the same time. This has been noted by experts as an uncanny coincidence given the geographical distance between the affected lakes. This lends credence to the conclusion that the City has a problem in its laboratory rather than in its lakes.

We attach as Annexures to this letter, copies of MAC's test results.

In light of the above, we demand that the City immediately end its purported closure of the lake and in any event reopen the lake by close of business on Friday 28 January 2021, recognising that every day that the lake remains closed over the summer period results in enormous damage being suffered by the community. Should the City require additional independent verification, we note that MAC has, on three recent occasions obtained such independent results within 24 hours.

In addition, we request that an investigation be launched to establish, amongst other things, what might have caused inaccurate results to be produced by the City's laboratory and what steps the City took to verify the results that it received from its laboratory.

All of MAC's rights remain reserved.

Yours faithfully,



Brian Webb
Commodore MAC 5051
Milnerton Aquatic Club

Annexures:

Merieux Laboratories test results from 31. December 2021
Walab test results from 17. January 2022
Abbott test results from 27. January 2022