

# FISH HOEK VALLEY RATEPAYERS & RESIDENTS ASSOCIATION

(Incorporating Fish Hoek, Clovelly and Sun Valley)

Central Circle, Fish Hoek 7975

Web: <https://www.fhvrta.org.za/> Facebook: [www.facebook.com/FHVRRA/](https://www.facebook.com/FHVRRA/)

Heritage Western Cape: Conservation Body

TO: OFFICE OF THE SPEAKER  
ATTENTION: OFFICE OF THE DEPUTY INFORMATION OFFICER  
[access2info.act@capetown.gov.za](mailto:access2info.act@capetown.gov.za)

SUBJECT: Internal Appeal against “partial” rejection of request for records in terms of the Promotion of Access to information Act, 2000 (PAIA): your ref no. 2/8/7/2/266 - 2020/21

DUE: 27 APRIL OR 24 MAY 2021

The Fish Hoek Valley Ratepayers and Residents Association's (FHVRRA) has met the requirement of appealing within 60 days of receipt, being either 25 March 2021 for the resend or the original 26 February 2021 email from Jill Fabing which was not received.

## Subject Matter of the Appeal

Appeal against “partial” rejection of FHVRRA's request for the City's actual water quality records in terms of the PAIA, your ref no. 2/8/7/2/266 – 2020/21.

## State the Reasons for the Appeal

### Precedent

Steve Perrett used to receive the actual water quality reports for FHVRRA's Executive Committee (Exco). Helen O'Regan, also a member of FHVRRA's Exco. paid the Promotion of Access to Information Act (PAIA) 2 of 2000 admin fee in 2014, for all “future” reports. The last one received was dated 21 April 2020; file ref: CB6/E5.3.1; report ref. MCR/MICRO\_ COAST REP/2020/577. From 2004 to 25 March (received 21 April) 2020, the City sent these “future” reports to Mrs O'Regan. We are merely asking that this be reinstated. The water quality information that we would like to see is not provided on the City's website at <http://bit.ly/Coastalwaterquality>.<sup>1</sup>

### FALSE BAY COAST (Recreational Nodes)

Last updated: 19/03/2021

RECREATIONAL NODES FALSE BAY COAST	COASTAL WATER QUALITY RATING						
	2015	2016	2017	2018	2019	Previous 365 day rolling period outcome	365 day rolling period from most recent measurement (Mar 2021)
1. Frank's Bay	Excellent	Good	Excellent	Excellent	Good	Excellent	Excellent
2. Seaforth Beach	Excellent	Sufficient	Excellent	Excellent	Sufficient	Sufficient	Sufficient
3. Boulders Beach	Excellent	Sufficient	Sufficient	Sufficient	Sufficient	Poor	Poor
4. Simon's Town Long Beach	Poor	Poor	Sufficient	Poor	Poor	Sufficient	Sufficient
5. Glencairn beach	Excellent	Good	Sufficient	Excellent	Excellent	Excellent	Excellent
6. Fish Hoek beach	Poor	Poor	Poor	Excellent	Poor	Poor	Poor

<sup>1</sup> <https://www.capetown.gov.za/Explore+and+enjoy/nature-and-outdoors/our-precious-biodiversity/coastal-water-quality> click on Water Quality Review

Coastal Management summarises the first section of the Scientific Services report “Coastal Pollution Monitoring” of the bay sampling points. What we are requesting is the additional “Urban Run-Off and Inland Water Bodies” section of the Scientific Services report, as meaning and insight can be derived, and trends spotted, more easily from the raw data.

## Trust

The City's Scientific Services is a certified lab with a PhD in charge. Their two-weekly report gives the actual *Escherichia coli* (*E. coli*) and *Enterococci* counts per run-off culvert. This sample below is apparently taken somewhere in our bay.



Off Jan Smuts Drive  
Athlone 7764  
PO Box 16548  
Vlaeberg 8012  
Tel No: (021) 444 9144  
Fax No: (021) 444 9025

Email: Mjikaile.Vulindu@capetown.gov.za  
Enquiries: Mjikaile.Vulindu

File Ref: CBR/ES 3.1  
Report Ref: MCRMICRO\_COAST\_REP(2018/599)  
Report Date: 2018/02/02

Directorate: Informal Settlements, Water & Waste Services  
Department: Water & Sanitation

Scientific Services

### COASTAL POLLUTION MONITORING - False Bay Coast

Sampled Date : 2018-01-17

SAMPLING POINT	Sample result on specified date (cfu/100 ml)		PERCENTILES past 365 days		Meets the DEA Guideline? (based on past 365 days)		Anaulis australis counts per 1ml
	<i>E.coli</i>	Enteroc	<i>E.coli</i> 90th	Enteroc 90th	<i>E.coli</i>	Enteroc	
XCS11 Millers Point	<2	1	18	35	Y	Y	
XCS12 Fishermans Beach	<2	2	7	18	Y	Y	
XCS32 Boulders Beach	12	22	90	37	Y	Y	
XCS21 Simons Town Harbour	6	76	48	79	Y	Y	
XCS22 Simons Town Diving School	2	16	24	25	Y	Y	
XCS13 Seaforth Beach	2	61	51	63	Y	Y	
XCS14 Long Beach	<2	12	80	230	Y	N	
XCS15 Glencairn Beach	14	13	47	83	Y	Y	
XCS16 Fish Hoek Beach	2	5	2740	1130	N	N	

It is for 17 January 2018, within a year marked “Excellent”, where the two “N”s indicate non-compliance with the DEA guideline over the previous 365 days (2017).

There are four stormwater culverts that feed into our bay. It is the results from these four samples that are important to us as they represent the main sources of our coastal pollution. The report below is also taken from 17 January 2018.

### URBAN RUN-OFF AND INLAND WATER BODIES

Sampled Date : 2018-01-17

SAMPLING POINT	<i>E COLI</i> cfu/100 ml	ENTERO cfu/100 ml	DEPTH OF FLOW cm
CS24 Mitchell's Plain East STW Drain	3000	<1000	1-2
CS23 Mitchell's Plain West STW Drain	40e5	84000	2-5
CS22 Mulzenberg Station STW Drain	11000	5700	1-2
CS26 Bally's Cottage STW Drain	180	200	<1
CS01B Kalk Bay Harbour Beach Stormwater	2	22	<1
SRE Silvermine River East STW	550	310	
SRW Silvermine River West STW	1900	6800	
FHC Fish Hoek Culvert Stormwater	300	2300	
FHLH Fish Hoek Lighthouse STW	36000	15000	

METHOD: Membrane filtration followed by incubation on m-TEC agar (*E.coli*) & Enterococcus agar (Enterococcus) for 2 hours at 37 °C then at 44 °C for 22 hours

It can be seen that three of the four culverts (two in Silvermine and two in Fish Hoek) have results above the DEA's 500 count threshold for *E. coli*, and all four are above the 185 threshold for Enterococci. For samples collected deep in the bay, this pollution is diluted.

With the City's assistance, we have had taken and analysed private samples from the Lighthouse stormwater catchment area, in order to find the source of these pathogenic bacteria. Without this information, we wouldn't have known where to start looking, nor will we know if the relining of the Lighthouse stormwater system currently being undertaken has had the hoped for result. In fact, this data was able to assist the City in prioritising the sewage pipe project as the city officials responsible for this work did not have readily available access to this data. On another project, we tracked the drop in bacteria counts as the road and services refurbishing from Muizenberg to Clovelly progressed.

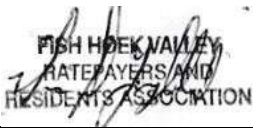
### Importance to us

In terms of PAIA's clause 46 (a) (ii), we feel there is an "imminent and serious public safety or environmental risk" and it is in (b) "the public interest in the disclosure of the record clearly outweighs the harm contemplated in the provision in question." The ill effects of E. coli and Enterococci are widely reported.

We support the City's Open Data Policy for a Well-Run City strategy.

### SUMMARY

In conclusion, we are requesting access to all the "AUTHORISED LABORATORY REPORTS" on False Bay Coast's Urban Run-off be sent to our general Exco email account, [admin@fhvrra.org.za](mailto:admin@fhvrra.org.za).

<b>NAME &amp; SURNAME</b>	<i>Brian Youngblood, Chair: Fish Hoek Valley Residents and Ratepayers Association (FHVRRRA)</i>
<b>CONTACT NUMBER</b>	<i>Cell: 084 3 99 99 33</i>
<b>E-MAIL ADDRESS</b>	<a href="mailto:FishHoekRRA@gmail.com"><i>FishHoekRRA@gmail.com</i></a>
<b>SIGNATURE</b>	
<b>DATE</b>	3 April 2021