



## water & sanitation

Department:  
Water and Sanitation  
REPUBLIC OF SOUTH AFRICA



# Water and sanitation: key challenges and measures to address them

4 September 2024



WATER IS LIFE - SANITATION IS DIGNITY

# Overview

- Raw water supply is currently approximately in balance with existing demands on a national scale, but there are localized deficits, e.g.
  - Gauteng (current) caused by increased demand and delay in LHWP2
  - eThekweni, caused by delay in Umkhomazi Water Project and rapid increase in NRW
- Delays in the implementation of national surface water resource development projects in the past have now been addressed and projects have been accelerated
- Need to:
  - Implement remaining opportunities for surface water capturing – establishment of NWRIA will assist in raising finance for this
  - Diversify the water resource mix
  - Implement water conservation and water demand management

- DWS Blue Drop (drinking water), Green Drop (wastewater) and No Drop (water use efficiency) reports indicate that municipal water and sanitation services have deteriorated markedly over last 10 years
- Underlying reasons: municipalities not hiring the necessary staff with the correct qualifications (plant managers, technicians, process controllers, scientists); weak billing and revenue collection (NRW), insufficient prioritization of budgets for maintenance and operations by municipal councils
- Over and above continuing to support municipalities, four key initiatives are under way to address the situation:
  1. Strengthen regulation of municipal water and sanitation services: amendments to WSA – public consultation on Amendment Bill completed, Bill will be submitted to new Cabinet for approval for tabling in Parliament
  2. National Treasury led reforms to municipal trading services
  3. Increase private sector participation in municipal water services, particularly in metros, set up WPO for this
  4. Presidency (Deputy President and Operation Vulindlela) is focusing on improving support, regulation and performance of wastewater across all three spheres of government and between the 3 key departments (COGTA, DWS and NT)

# Proposed reforms

## Amend Water Services Act

1. Introduce legal requirement: water services can only be provided by an entity (municipality or other entity) that has a WSP operating licence

Details of licensing requirements will be gazetted by Minister

Will specify minimum competency and minimum performance levels for water service providers linked to gazetted minimum norms and standards for water and sanitation services (including full financial transparency and reporting)

Municipality must fulfill licence conditions if it provides the service itself, or must contract with a licensed WSP

Minimum license requirements will be context-specific and WSPs will be given time to meet requirements

2. Strengthen enforcement by Amending Section 63 to enable enforcement through directives (as is done in National Water Act)

As last resort, and after due process ...

Minister may force separation of water services function from the municipal administration **where there is persistent failure to meet license conditions**, and require municipality (as Water Services Authority) to contract with a licensed WSP

4. Improve governance of water boards

3. Define the functions that the WSP is accountable for (irrespective of institutional arrangements approved by WSA)

**WSP functions:** revenue and finance, asset creation, operations and maintenance, human resources, procurement, customer relationship

**Note: these reforms do not change the status of municipalities as Water Services Authorities in any way**

# National Water Amendment Bill

**There are a number of amendments introduced in the Bill which amongst others are aimed at the achievement of transformation and the equitable allocation of water:-**

- To prescribe regulations setting out the criteria that must be considered when making allocation of water to address the past racial and gender discrimination in relation to water use
- Discontinuation of the declaration of existing lawful water use;
- ELU continue to exist subject to any new conditions or obligations, necessary to protect the water resources and the environment, which the responsible authority may impose;
- To curtail a volume of water which becomes available as a result of failure by a water user to exercise the full water use;
- To set aside certain volume of water in each catchment in order to achieve the equitable allocation of water
- To make provision for permanent surrender of unused water allocation to the National Government as the public trustee of water resources – prohibition of water trading.
- To make provision that allows a person holding an entitlement to use their water on another property of their own or of which they have the right of use, for a temporary period not exceeding 2 years.

## **Process to date, where we are currently with the process, planned process moving forward**

- Bill currently being considered, for final certification, by OCSLA
- Once final certification is granted, we will submit the Bill through the Cabinet Committees and then to Cabinet for approval that it be introduced and deliberated in the two houses of Parliament (between August & September)
- Parliament will conduct its own public participation and once done, the Bill will then be adopted and submitted to President to sign it into law (October/November 2024)

## Progress with other initiatives

- Revised water-use licensing regulations – on hold pending finalization of National Water Amendment Bill
- Revised raw water pricing strategy – will be gazetted shortly
- Reconfiguration of Water Boards complete
- Remaining Catchment Management Agencies in process of establishment, 5 out of 6 operating in terms of PFMA from 1 April 2024
- NWRIA Bill has been approved by Parliament, is on the President's desk for signing
- Independent Regulator Commission appointed, playing an advisory role, DWS is working on proposals for establishment of an Independent Regulator for the water sector

## Progress with other initiatives

- Improvements to water-use licensing: old backlog removed, currently processing 70 % (finalizing 999 applications out of 1419 within 90 days) of water-use licences within 90 days, further improvement expected from recent hiring of additional staff .
- Revised norms and standards for water services – levels of standards for services, water use efficiency, prohibitions in terms of connecting bulk users to Wastewater systems that are performing poorly or has exceeded operational capacity
- Regulations on hydraulic fracking in public consultation process
- Water services on privately-owned land approved by Cabinet, will be gazetted shortly
- Verification and validation of existing lawful use : 59 215 properties out of 113 664 have been verified, which amounts to 52% of the verified properties. Of these, 4 698 were completed in the current financial year. Once the establishment of the CMAs is finalised, the implementation of V&V will be intensified and is anticipated to be finalized around 2018. The brief summary of the implementation of V&V is provided in the slide below.



# Thank you

