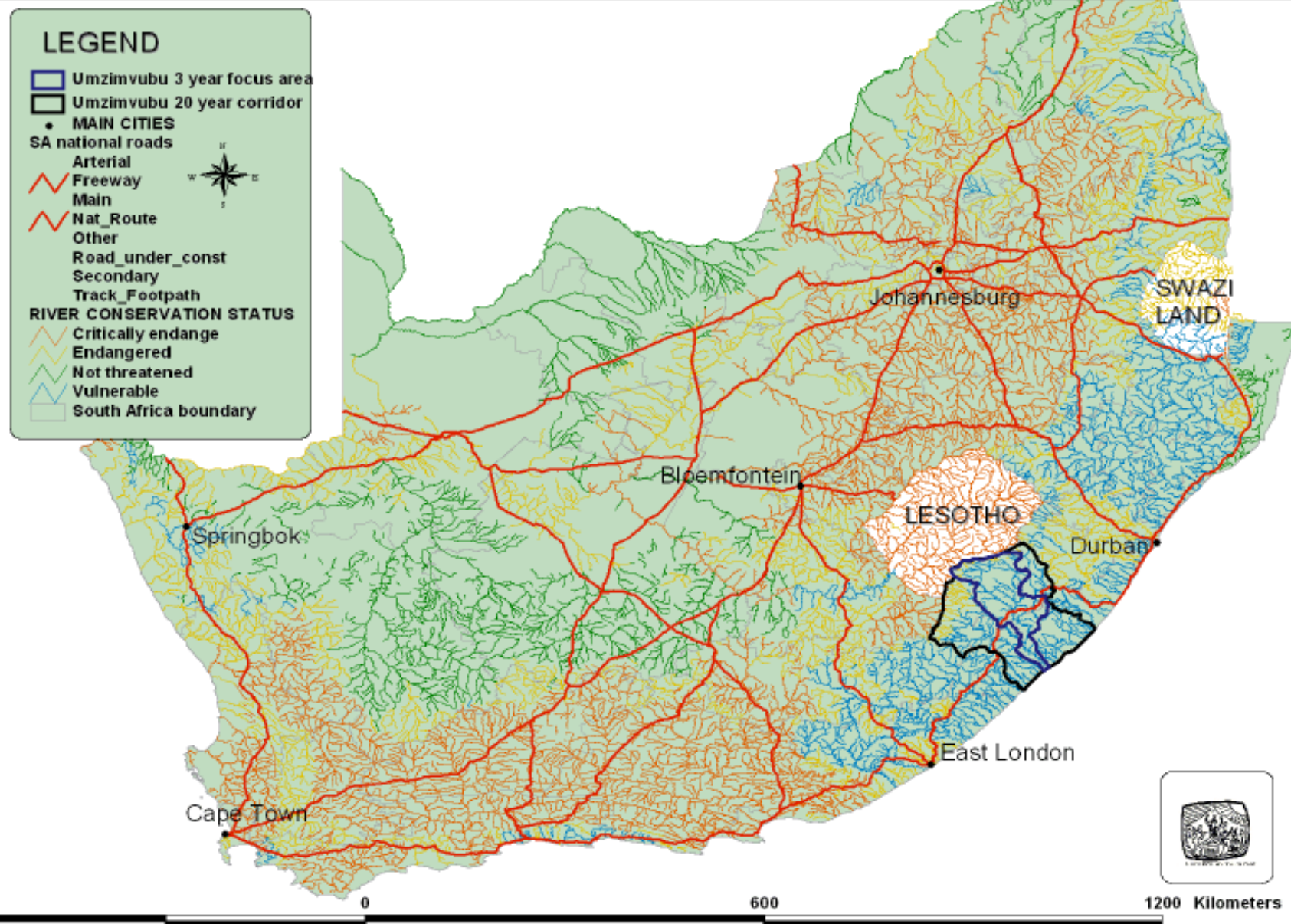


LOCAL WATER SECTOR...

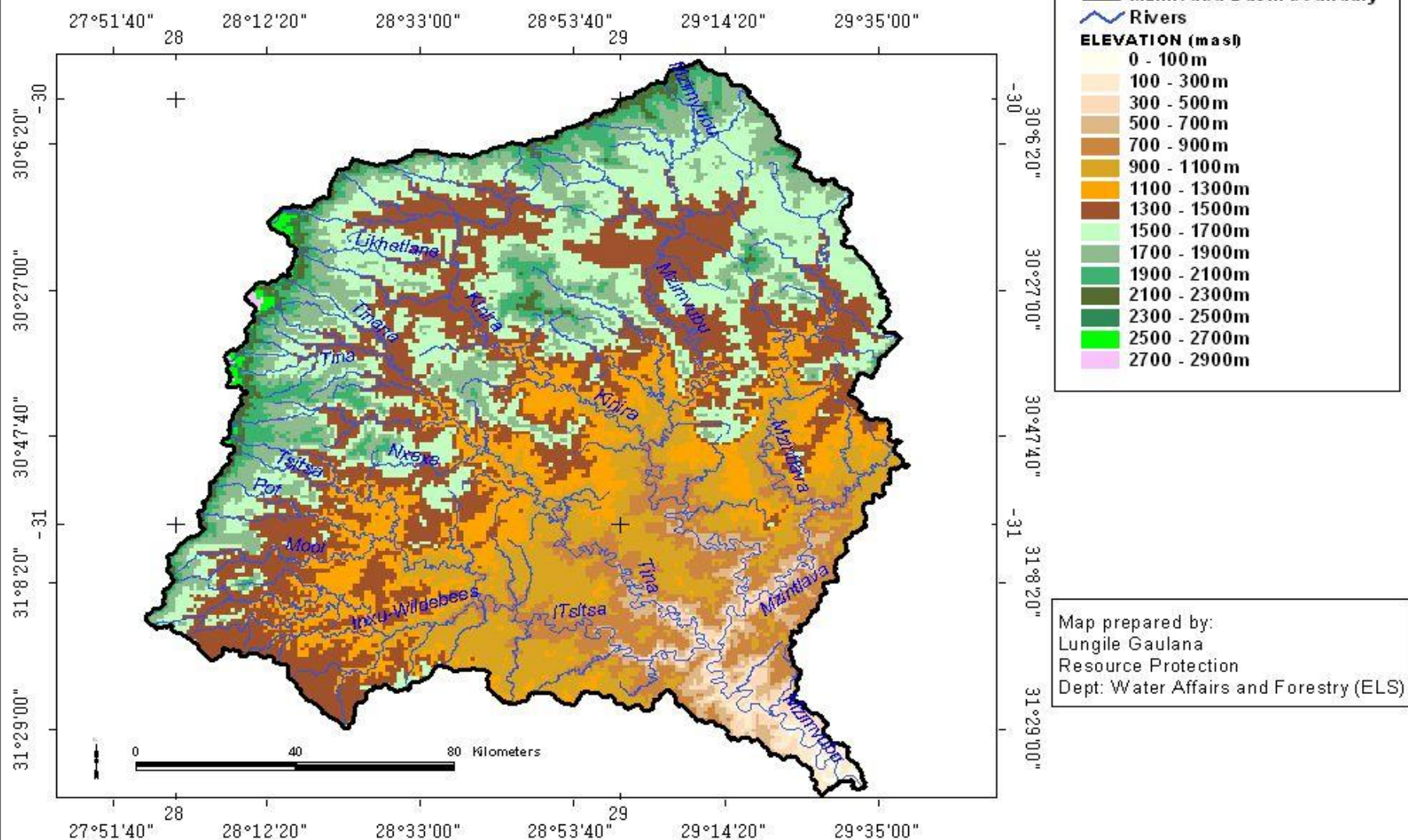
- ▣ Geography of upper catchment
- ▣ NWA 36 of 1998 and related legislation
- ▣ NEMA, WULA, etc
- ▣ ROLES: DWAS as sector regulator, WSAs; Civil society
- ▣ Groundwater protocol
- ▣ SIP 19 ☺ ecological infrastructure

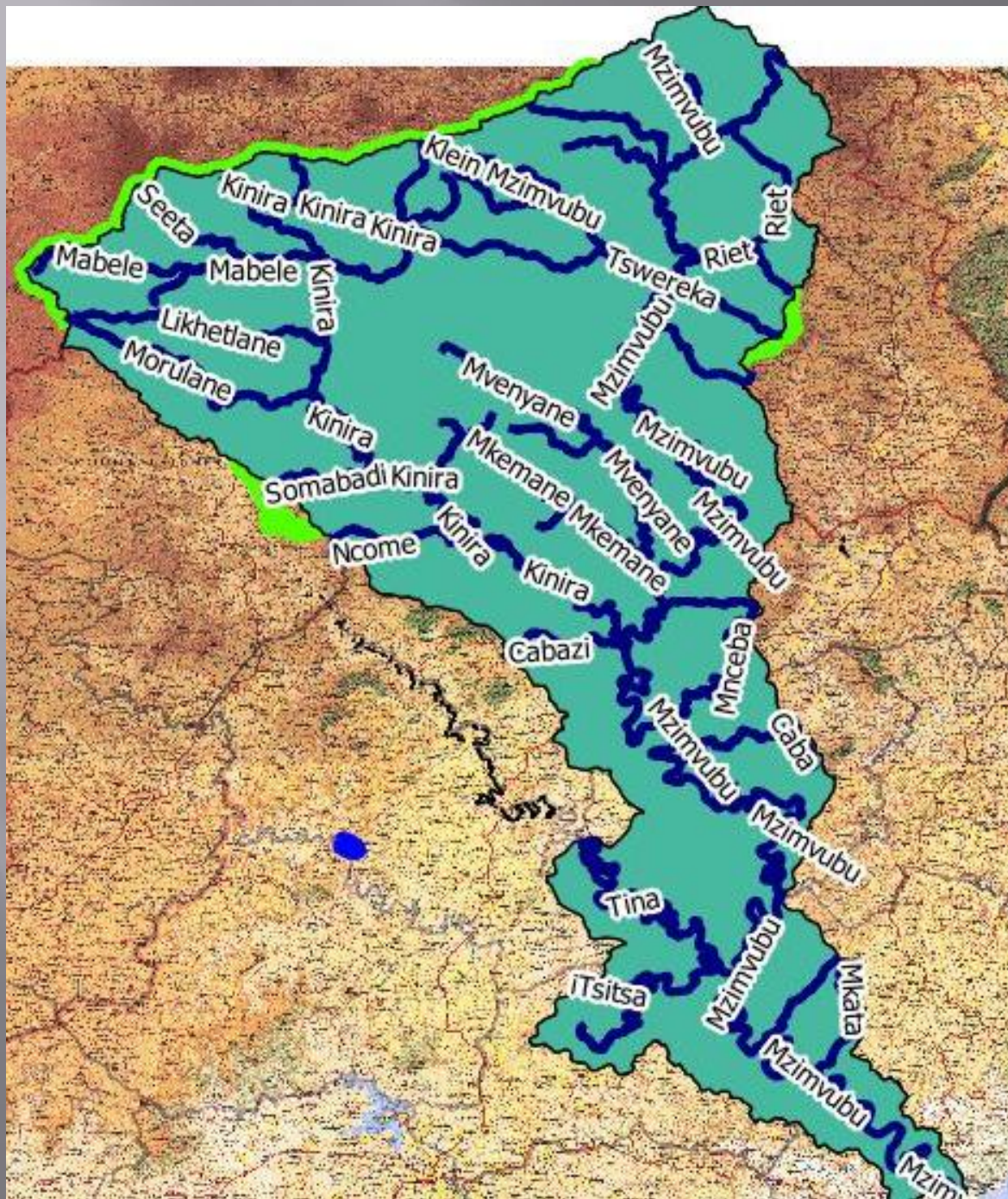


UMZIMVUBU CATCHMENT CONSERVATION CORRIDOR WITHIN RIVER CONSERVATION STATUS IN SOUTH AFRICA



MZIMVUBU RIVER BASIN (Altitude)





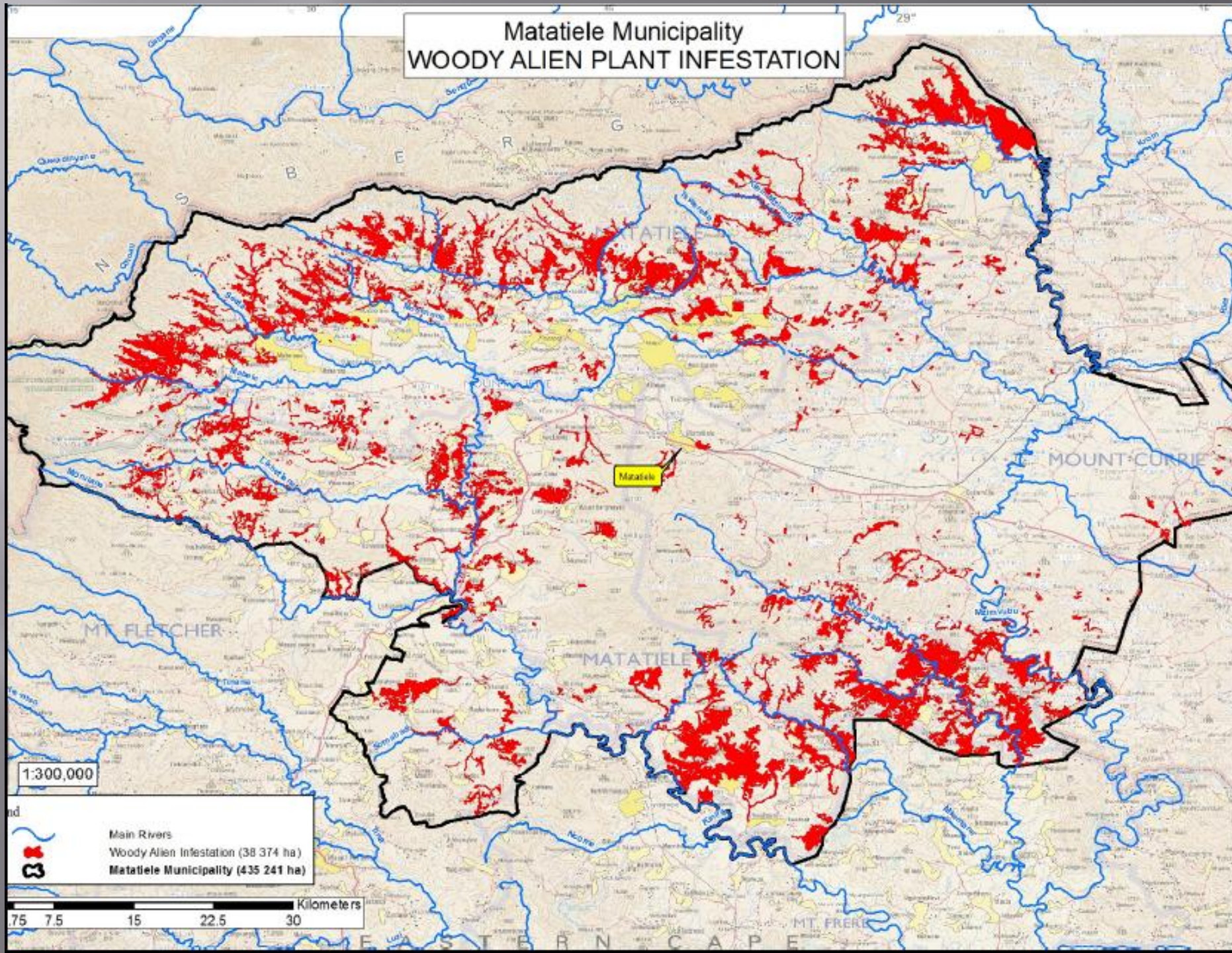
- 20 000 km² drainage basin
- 408km source to sea
- soils very dispersive, exacerbated by land use & alien plants

MZIMVUBU: UPPER SYSTEM MAIN TRIBUTARIES

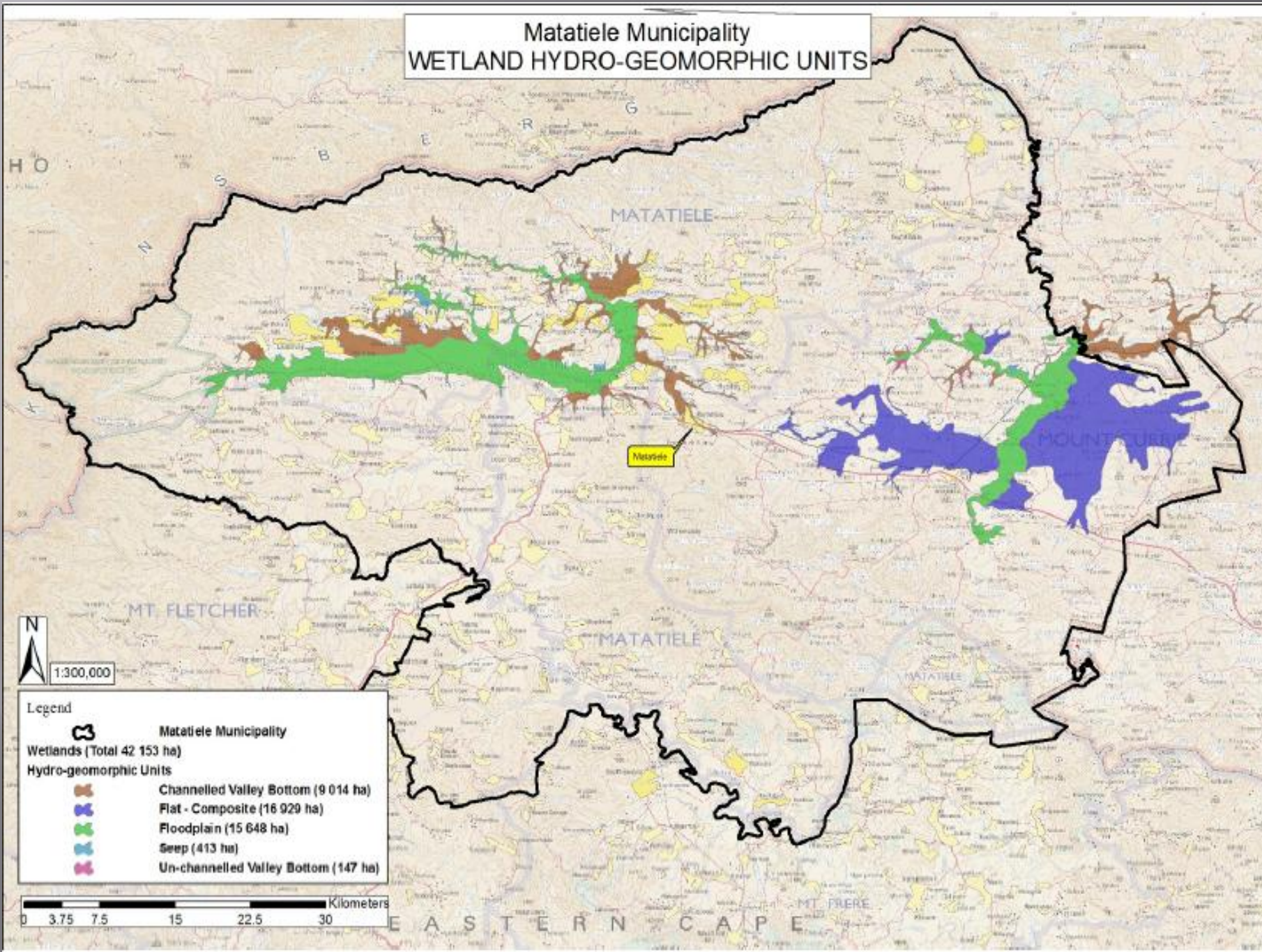
- ▣ KINIRA
- ▣ SEETA
- ▣ LEBELLE
- ▣ MZIMVUBU



Matatiele Municipality WOODY ALIEN PLANT INFESTATION



Matatiele Municipality WETLAND HYDRO-GEOMORPHIC UNITS



- 50 tons per ha / soil loss



NATIONAL WATER ACT

(Act 36 of 1998)

- ▣ Chapter 1: Interpretation and fundamental principles
- ▣ Chapter 2: Water Management strategies
- ▣ Chapter 3: Protection of water resources
- ▣ Chapter 4: Use of water
- ▣ Chapter 5: Financial provisions
- ▣ Chapter 6: General powers and duties of Minister and Director-General
- ▣ Chapter 7: Catchment management agencies
- ▣ Chapter 8: Water users associations
- ▣ Chapter 9: Advisory committees
- ▣ Chapter 10: International Water Management
- ▣ Chapter 11: Government waterworks
- ▣ Chapter 12: Safety of dams
- ▣ Chapter 13: Access to and rights over land
- ▣ Chapter 14: Monitoring, assessment and information
- ▣ Chapter 15: Appeals and dispute resolution
- ▣ Chapter 17: General and transitional provisions

SUMMARY OF CHAPTER : 1,3,4,7 &12

Chapter 1: Interpretation and fundamental principles

- ▣ The purpose of this Act is to ensure that the nation's water resources are protected, used, developed, conserved, managed and controlled in ways which take into account amongst other factors : meeting human basic needs, promoting equitable access to water; protecting aquatic and associated ecosystems and their biological diversity; reducing and preventing pollution and degradation of water resources etc.

Chapter 3: Protection of water resources

- ▣ Protection of water resources is fundamentally related to their use, development, conservation, management and control.

Chapter 4: Use of water

- ▣ The National Government has overall responsibility for and authority over water resource management. This includes the equitable allocation and beneficial use of water in the public interest. Therefore a person can only be entitled to use water if the use is permissible under the Act.

CONTINUATION....

Chapter 7: Catchment management agencies

- ▣ The purpose of establishing the catchment management agency is to delegate water resource management to the regional or catchment level and to involve local communities, within the framework of the national water resource strategy.
- ▣ The functions of the catchment management agency include:
 - ▣ to develop a catchment management strategy
 - ▣ to investigate and advice interested people on the protection, use, development, conservation, management and control of the water resources in its water management area
 - ▣ to co-ordinate the related activities of the water users and of the water management institutions within its water management area
 - ▣ to promote the co-ordination of its implementation with the implementation of any applicable development plan established in terms of the Water Services Act, 1997 (Act No. 108 of 1997)
 - ▣ to promote community participation in the protection, use, development, conservation, management and control of the water resources in its water management area.



Integration of the NEMA and WATER ACT

- ▣ The NEMA (107 of 1998) is the frame work legislation (the umbrella legislation) for amongst others : the conservation Act (No. 73 of 1989), National water Act (No. 36 of 1998), NEM: Air Quality Act (No. 39 of 2004), NEM: Protected Areas Act (No. 57 of 2003), NEM: Biodiversity Act (No. 10 of 2004) etc.
- ▣ Section 28 of NEMA imposes a general duty of care for the environment(that is every person has the duty to avoid pollution and environmental degradation).
- ▣ Examples are the water supply projects that we have been involved with, doing Bas / EIAs and WULA .

WATER USE LICENSES APPLICATION

The following water uses require a water use licence (WUL) (section 21, National Water Act):

- a. **Taking water from a water resource.**
- b. Storing water.
- c. **Impeding or diverting the flow of water in a watercourse.**
- d. Engaging in a stream flow reduction activity (as identified in section 36, National Water Act).
- e. Engaging in a controlled activity as identified in sections 37(1) and 38(1), National Water Act.
- f. Discharging waste or water containing waste into a water resource through a pipe, canal, sewer, sea outfall or other conduit.
- g. Disposing of waste in a manner that may detrimentally impact a water resource.
- h. Disposing of water that contains waste from or which has been heated in any industrial or power generation process.
- i. **Altering the bed, banks, course or characteristics of a watercourse.**
- j. Removing, discharging or disposing of water found underground if it is necessary for continuing the activity efficiently or for the safety of people.
- k. Using water for recreational purposes.

REGISTRATION OF WATER USE

Who must register their water use?

- ▣ Individuals- farmers, small-holders, land owners or lessees
- ▣ Communities-traditional farmers group, communal enterprise
- ▣ National or Provincial government
- ▣ Companies and businesses
- ▣ Water user Associations
- ▣ Water Service Providers-Water Boards and Local governments.

HOW WILL USERS BE REGISTERED?

- ▣ Forms to register are obtainable from any office of the Department or www.dwa.gov.za
- ▣ To register a water use, a completed registration package is submitted to the Department.
- ▣ Registration can not be turned down if it is for legitimate use .
- ▣ Incomplete forms may be returned to the water user and registration suspended until complete information is provided.

REGISTRATION FORMS

Registration of water use for S21(a), S21(b), S21(c) and S21(i) involves part 1 and part 2.

PART 1 – applicant and property details

DW757-Applicant

- ▣ DW901-Property where water use occur
- ▣ DW 902-Property owner

PART 2 is the actual activity affecting resource

- ▣ DW 760-Taking water from a water resource (S21a)
- ▣ DW763-Impeding or diverting the flow of water in a watercourse
- ▣ DW768-Altering the bed, banks, course or characteristics of a watercourse.

USE OF RoD & EMP

- ▣ RoD is the project license issued by the Department of Environmental Affairs.
- ▣ Environmental Authorisation specifies the activities for which the authorisation has been granted for.
- ▣ It is the responsibility of the Authorisation holder to comply with all the project specific conditions that are outlined in the RoD and EMP
- ▣ The EMP is the detailed programme to mitigate all the negative impacts of the project to the environment during construction and operational phase.
- ▣ With Water projects where pipes cross streams and rivers method statements are required from the contractor s to avoid water pollution and other impacts to the water resources that are used.

DUTY OF CARE



WHERE DO THE GREEN POLICE FIT IN?

- ▣ EAPs and ECOs are the people who we can call the green police. They make sure that the Environmental Authorisation holder complies with the conditions in the EMP and RoD.
- ▣ The project should build capacity within the communities , this is where young people are involved as the ELOs.
- ▣ An ELO (Environmental Liaison Officer) is from the community and is being trained by the ECO to see to it that there is compliance within the project (a whistle blower to the EAP)





Legend

-  MDTP_Swartberg_ONR_Nodes_Aug2013
-  Formal_Protected_Areas
-  Protected/Conservation/Stewardship Areas
-  PAE 20 year
-  MDTP
-  MDTFCA Biodiversity Implementation Areas
-  ECPAES Priority Areas
-  Wetlands

Boundaries

-  International
-  Provincial
-  Matatiele Municipal Area

0 2 4 8 12 16 20 Kilometers



Lesotho

Sethlhabathebe National Park

uKhahlamba Drakensberg World Heritage Site

Swartberg Conservancy (Private Farms)

Node 1
Swartberg farms, Mzongwana, Sethlhabathebe NP

Node 2
Ramas to Qhachas

Node 3
Madiangala, Mpharane

Letsang- la Letsie

Ongelukneke Nature Reserve

Node 4
Ongelukneke, Motseng, Thaba Chitcha

MATATIELE

CEDARVILLE

Matatiele Nature Reserve

Cedarville Conservancy (Private Farms)

Mt Currie

KOKSTAD

Eastern Cape

KwaZulu-Natal

SWARTBERG

