



## INTERNET ARTICLE

### **Mpumalanga stakeholders engaged on regulations relating to access and use of state dams and surrounding state-owned land for recreational purposes**

17 August 2023

The Department of Water and Sanitation (DWS) is currently engaging stakeholders to source inputs into the draft regulations relating to access and use of government waterworks / state dams and surrounding state-owned land for recreational purposes. The first leg of the Mpumalanga engagements took place on 16 August 2023 when the Department engaged stakeholders in Ermelo and the Mpumalanga engagements will close in Bushbuckridge on 22 August 2023.

Stakeholder engagements are a crucial element of regulatory policy and open and inclusive policy making. The engagements are meant to ensure that there is transparency and to provide stakeholders with an opportunity to influence what the Department aims to achieve with the regulations prior to promulgation. The engagements primarily focuses on the requirements for access and use of the government waterworks for recreational purposes, control over the waterworks, applications and authorisations, rules and prohibited activities. Basically, the stakeholder engagements aim to improve and increase the information, knowledge and expertise available to the Department regarding recreational activities, build consensus, balance opposing interests and reduce the potential for future conflicts of interest.

Mr Steven Nhlabathi from DWS- National Office presented the draft regulations to the stakeholders and fielded their questions to ensure that everybody left with the same understanding.

DWS owns numerous Government Waterworks (GWWs) or state dams that are distributed widely across the country. The water storage components of these GWWs comprise the dam basin and a defined dam boundary line of the surrounding state-owned land. Section 113 of the National Water Act provides that the water and surrounding state-owned land of a GWW may be made available for recreational purposes. Access and use at GWW is currently governed by the Regulations that were published in Government Notice R654 of 1 May 1964 under the Water Act, 1956 (Act No 54 of 1956). These Regulations remain in force until specifically repealed. These Regulations still contain Boating Regulations which is now the mandate of the National Department of Transport.

Section 116 of the National Water Act (NWA), 1998 (Act No. 36 of 1998), provides that the Minister may make regulations providing for the control and management of the GWWs and surrounding state-owned land, and provide for the charges for the use and private

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development of GWWs. DWS had published the draft Regulations in Government Notice No. 39348 in 2015, with the intention to make new Regulations in terms of Section 116 on the NWA and thus repeal R654 as it is outdated. These new Regulations will also ensure alignment with the objectives of the NWA and the operational policy on using water for recreational purposes (2004).

The objectives of the proposed Regulations are:

- To take into account the provision of Section 2 of the NWA
- To address the need to apply precautionary approaches to recreational water use of GWWs
- To meet the need to utilize recreational water use of GWWs to achieve economic growth, human resource development, capacity building, employment creation and sound ecological balance consistent with the development objectives of national government
- To meet the need to protect the biodiversity of aquatic and associated ecosystems and to minimize pollution of these water resources
- To meet the need to achieve to the extent practicable broad and accountable participation in the decision-making process in resource management planning giving effect to the operational policy on recreational water use and guidance on the compilation of Resource Management Plans
- To meet the need to ensure to ensure compatibility of recreational water use with other water uses
- To meet the need to ensure the safety of recreational water users and
- To minimize the associated risks of the Department.

Members of the public and stakeholders can access the draft regulations from the Department's website and submit their inputs and comments to Ms Anet Muir at [MuirA@dws.gov.za](mailto:MuirA@dws.gov.za) no later than 20 October 2023.

**Themba Khoza**

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