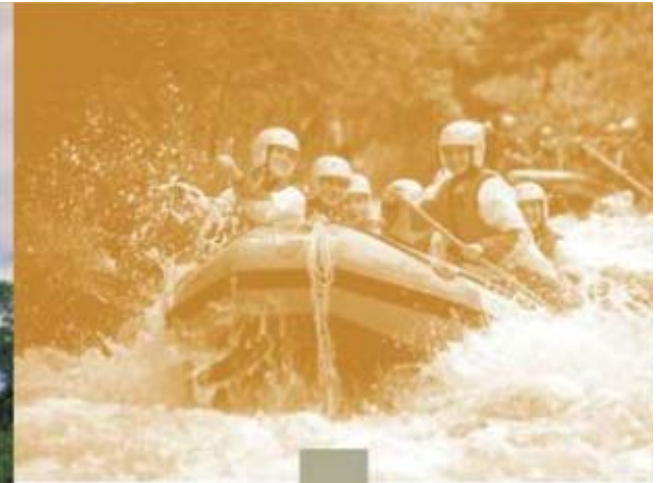


Phase 5 - Institution options: 'The People'



water & forestry

Department:
Water Affairs & Forestry
REPUBLIC OF SOUTH AFRICA



INSTITUTIONALISATION



INTRODUCTION

POLICY

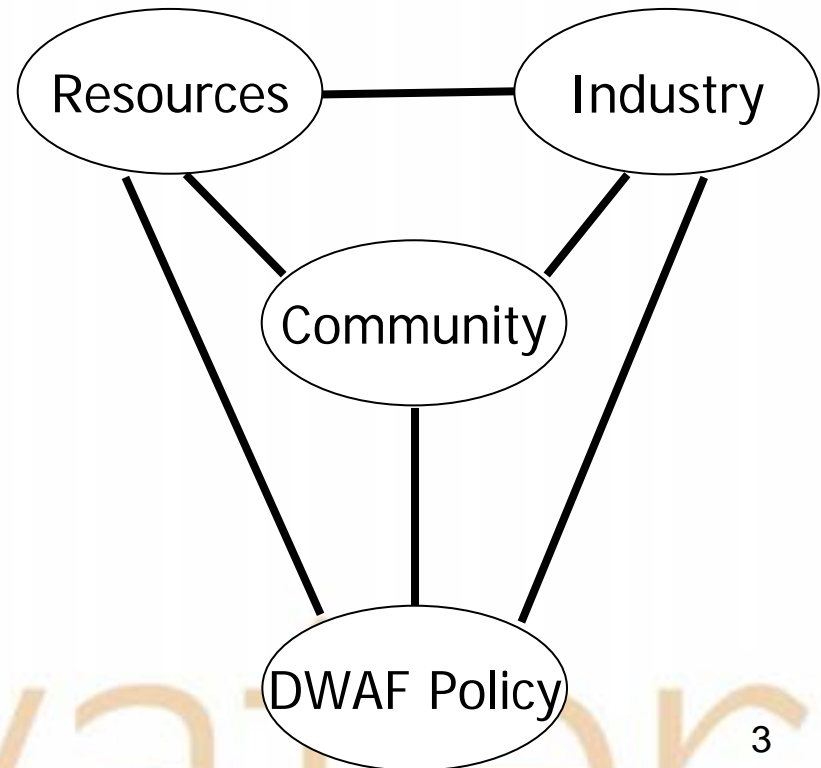
"that appropriate and effective co-operative linkages and institutions are developed to ensure that the management of the use of water for recreational purposes is sustainable".

INSTITUTIONALISATION



INTRODUCTION

HARMONIOUS BALANCE FOR SUSTAINABILITY



INSTITUTIONALISATION



INTRODUCTION

MANAGEMENT AREAS

Land vested in the Department of Land Affairs (DLA) or Department of Public Works (DPW) to which traditional communities have rights can be included in management areas adjacent to water resources, thereby availing sufficient land to ensure viable development opportunities, not possible only on land administered by DWAF.

INSTITUTIONALISATION



INTRODUCTION

RISK MANAGEMENT

- Government and communities assume the role of the private sector, transferring unnecessary risk to the public sector or community as a whole.
- Through PPPs it is possible to transfer risk to the private sector without negating benefits to communities or encumbering the public sector.
- Undertaken in this way sustainability and viability can be ensured without compromising the competitive advantage of the private sector.
- A comprehensive due diligence must be undertaken on the private sector partner to ensure competency and compliance to contractual obligations.

INSTITUTIONALISATION



INTRODUCTION

CO-OPERATIVE LINKAGES

- DWAF must form close co-operative linkages with other government departments;
- at national, provincial and local levels;
- to ensure integrated management.

INSTITUTIONALISATION



OBJECTIVES & STRATEGIES

POLICY STATEMENT : That appropriate and effective co-operative linkages and institutions are developed to ensure that the management of the use of water for recreational purposes is sustainable

Objective 1: Appropriate institutions established to manage recreational water use effectively

Supporting Strategy:

To provide institutional options available for effective and efficient management of recreational water resources

Objective 2: Functional linkages established to ensure co-operative governance and effective sharing of management responsibilities regarding the sustainable management of water resources for recreational purposes

Supporting Strategy:

To formalise functional linkages, based on the roles and responsibilities of the various agencies involved with the management of water and associated resources related to recreational water use

INSTITUTIONALISATION



INSTITUTIONAL LINKAGES

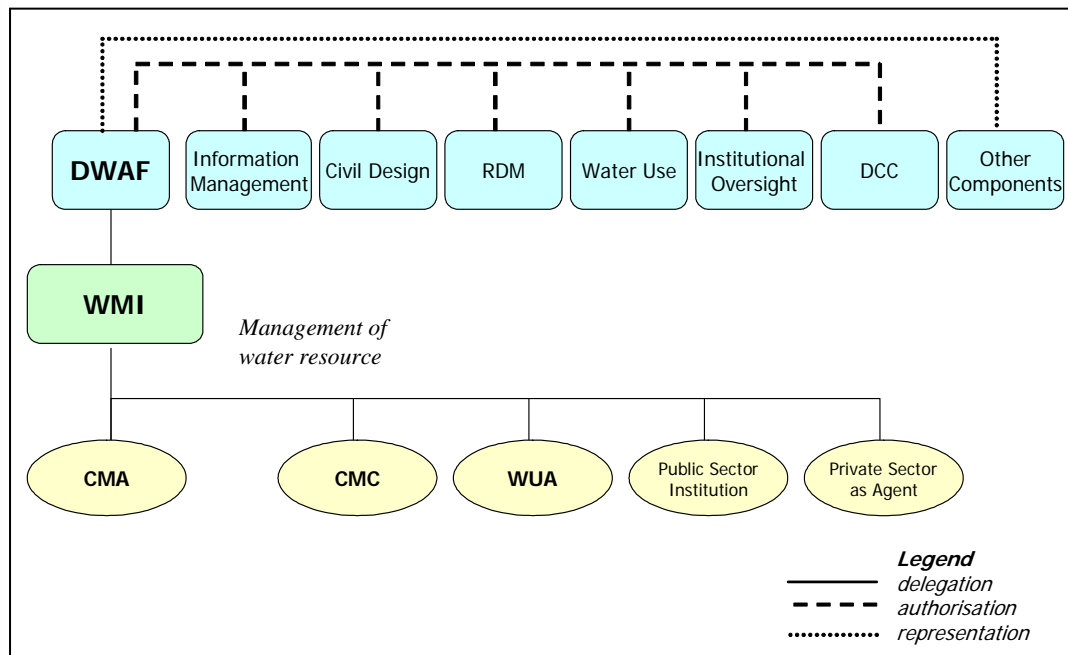
- Internal Linkages
- External Linkages

INSTITUTIONALISATION



INSTITUTIONAL LINKAGES

INTERNAL LINKAGES



INSTITUTIONALISATION



INSTITUTIONAL LINKAGES

INTERNAL LINKAGES – Roles & Responsibilities

DWAF WA&IU are responsible for Policy development and regulation.

DWAF Regional Offices serve a regulatory role and act as implementers, either as a regional office or through delegation to Water Management Institutions such as CMAs; CMCs; WUAs; or agents from the Public or Private Sector.

INSTITUTIONALISATION



INSTITUTIONAL LINKAGES

INTERNAL LINKAGES – DWAF WA&IU

As policy developer must align:

- Departmental Control Committee
- Information Management
- Institutional Oversight
- Water Use
- Resource Directed Measures
- Civil Design

INSTITUTIONALISATION



INSTITUTIONAL LINKAGES

INTERNAL LINKAGES – DWAF REGIONAL OFFICES

Functions:

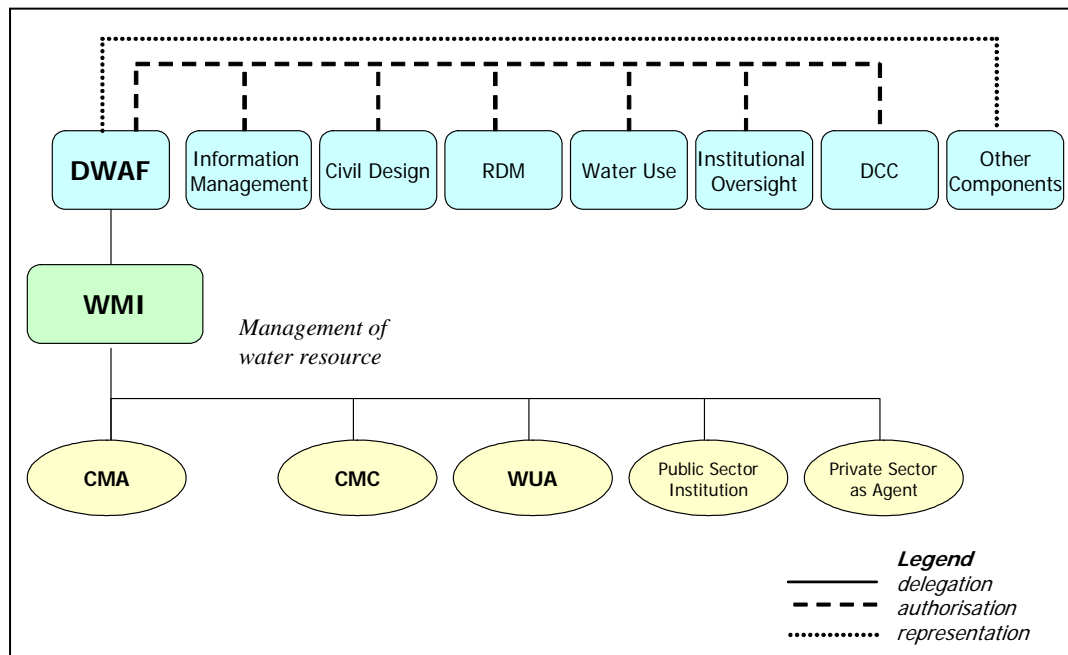
- The implementation of the policy at operational level by linking the water management institution to the water users, contractors, other stakeholders such as local, affected and host communities, local and provincial government.

INSTITUTIONALISATION



INSTITUTIONAL LINKAGES

INTERNAL LINKAGES – DWAF REGIONAL OFFICES

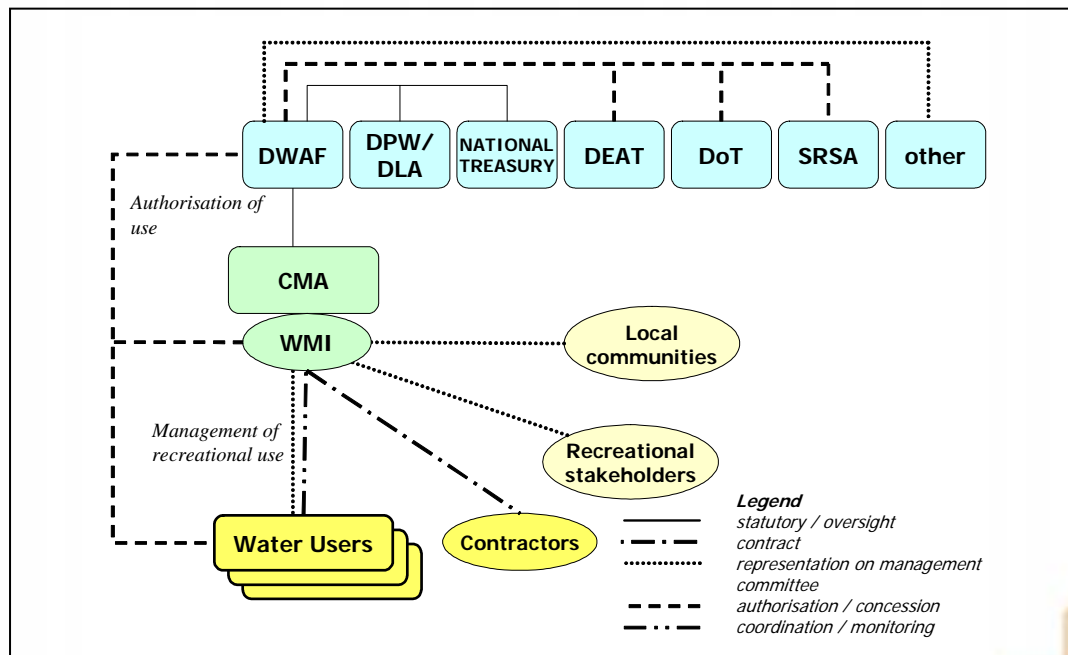


INSTITUTIONALISATION



INSTITUTIONAL LINKAGES

EXTERNAL LINKAGES



INSTITUTIONALISATION



INSTITUTIONAL LINKAGES

EXTERNAL LINKAGES - FORMALISATION

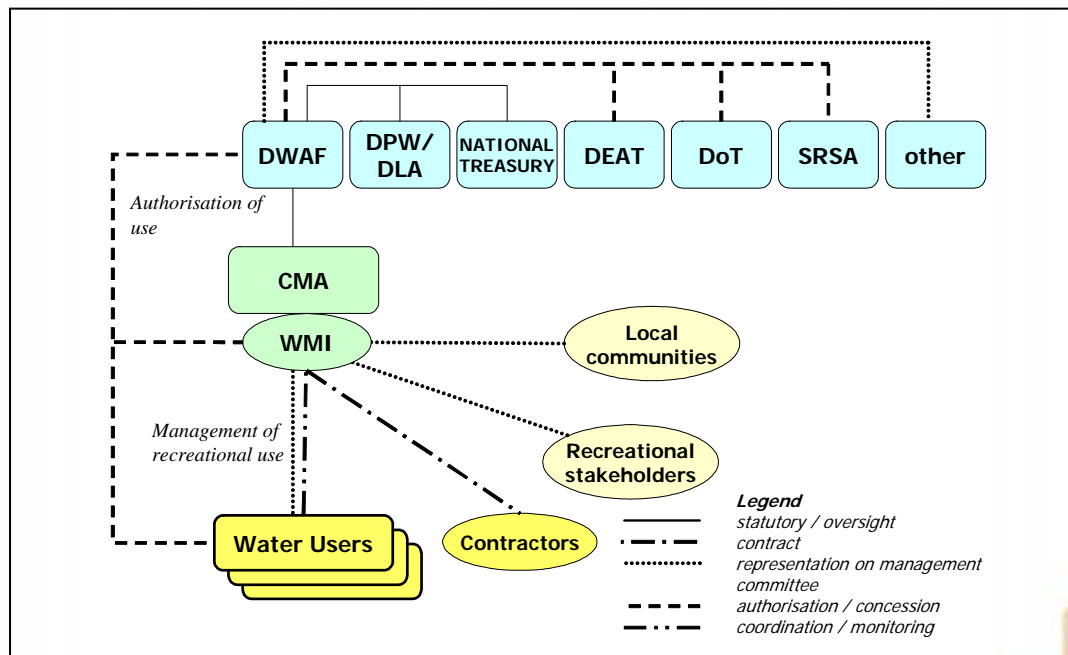
- Statutory relationship – between DWAF; DLA; DPW; National Treasury
- Representation on committees
- A delegation
- An authorisation - A linkage exists between DEAT; DoT); and SRSA, regarding joint authorisation pertaining to development, safety of vessels and operator compliance to industry norms and standards.
- Contractual agreement
- Co-ordinatory/monitoring relationship.

INSTITUTIONALISATION



INSTITUTIONAL LINKAGES

EXTERNAL LINKAGES - FORMALISATION



INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

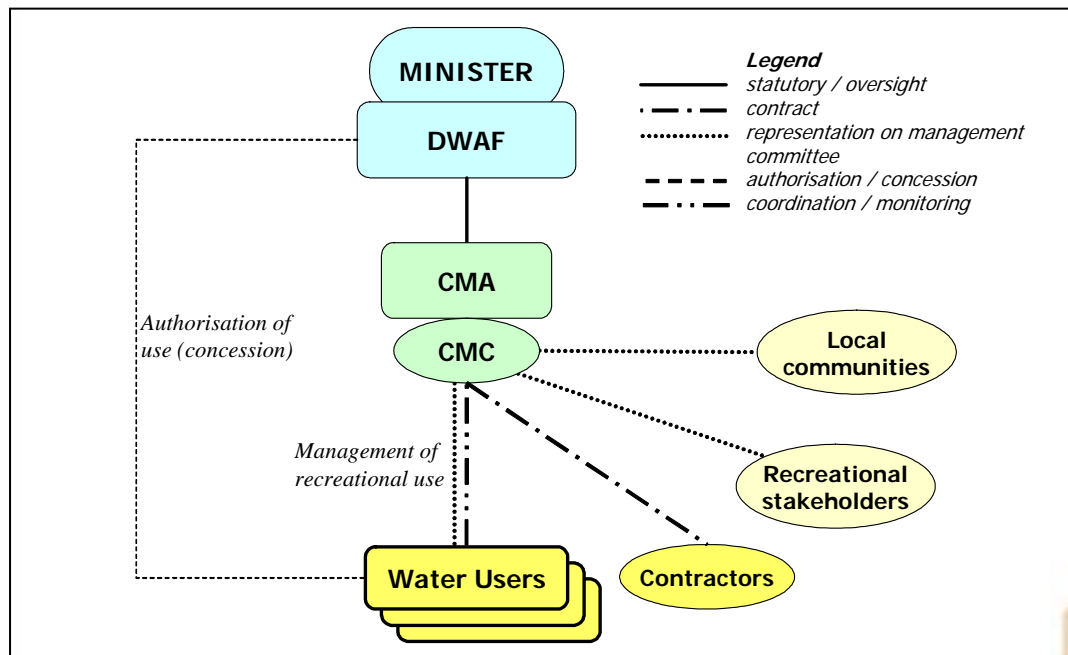
- DWAF (or the CMA)
- Catchment Management Committee (CMC)
- Water User Association (WUA)
- Public sector institution as agent
- Private sector agent

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

DWAF (or the CMA)



INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

DWAF (or the CMA)

- The DWAF Regional Office (RO) or the CMA
- Interim arrangement
- Not optimal in the long term, because DWAF/CMA have an overarching regulatory responsibility

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

CATCHMENT MANAGEMENT COMMITTEE

- A CMA (or the DWAF RO acting as the CMA) may establish a CMC under Section 82(5) of the NWA ,To take responsibility for managing recreational water use for one or more water resources and/or waterworks.
- This committee may have members appointed by the CMA/DWAF RO, representing the CMA/DWAF, relevant stakeholders and/or users, and may have an executive component to undertake any activities for the management of recreational water use.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

CATCHMENT MANAGEMENT COMMITTEE

- *NOT* be delegated with the responsibility for authorising the use
- *NOT* have the responsibility of drawing up the plans for the water resource.

Rather:

- Manage and coordinate access, utilisation and development of the water resource according to the approved plan; and
- Monitor the users according to the authorisations and specific conditions.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

CATCHMENT MANAGEMENT COMMITTEE

- A management committee may be established by DWAF prior to the establishment of a CMA

But

- More appropriate for committees to be established by the CMA, so as not to pre-empt the institutional management arrangements within a Water Management Area (WMA).

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

CATCHMENT MANAGEMENT COMMITTEE

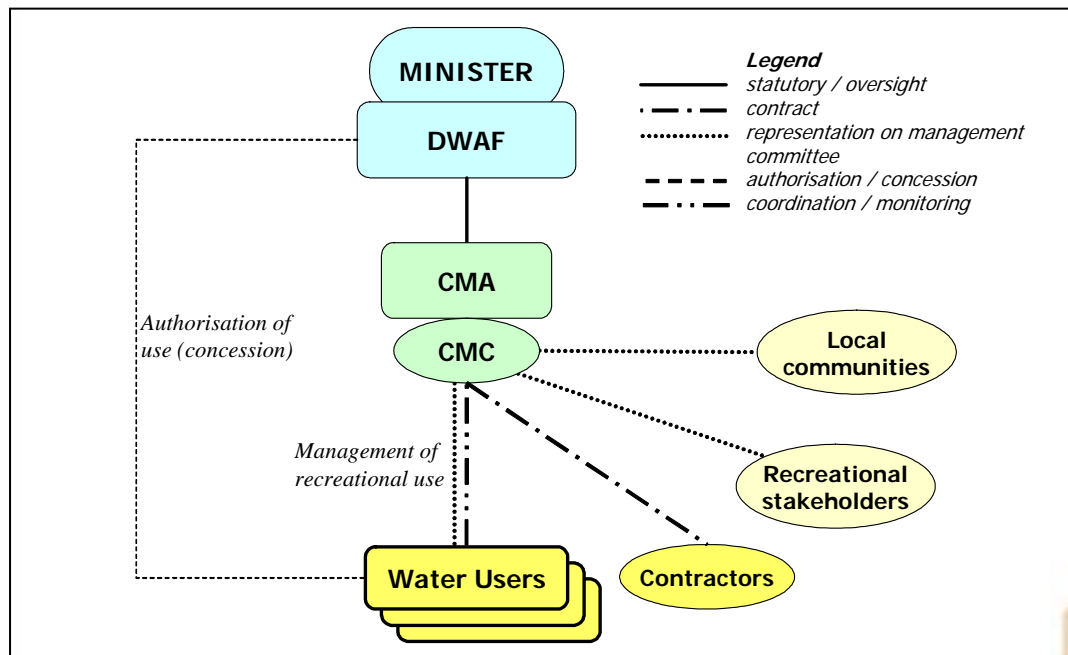
- Once a CMA is established, a committee for managing recreational use of water (and implementing the associated plans) should be considered.
- Particularly where there are a number of water resources and/or waterworks requiring management within a catchment area of the WMA.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

INSTITUTIONAL ARRANGEMENT FOR CMC



INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

WATER USER ASSOCIATION

- May be established under Section 92 of the NWA.
- Purpose of managing the use of water for recreational purposes associated with a particular water resource.
- Delegated the responsibility for managing access, utilisation and/or development of the resources, according to an approved water RMP.
- May also be responsible for monitoring the authorisations.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

WATER USER ASSOCIATION

The executive committee of the WUA nominated representation from:

- Relevant stakeholders and communities that have an interest in the use of water for recreational purposes.
- Recreational water users may be represented by a specified number of elected members.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

WATER USER ASSOCIATION

Management committees may be established around specific issues, such as:

- community empowerment; and
- Safety.

Management committees may include contractors that are appointed for these activities.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

WATER USER ASSOCIATION

- Where a WUA has already been established, most likely for managing the operation of the waterworks for consumptive water users, this body may also be delegated responsibility for managing recreational use.
- Under this circumstance, the WUA should establish a management committee focused on these activities, with appropriate representation by the recreational stakeholders, communities (beneficiaries) and recreational water users.
- This management committee would be represented on the WUA executive committee

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

WATER USER ASSOCIATION

- The WUA alternative is appropriate for intensively utilised water resources with several concessions, particularly where this would require an executive component to perform the delegated functions.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

WATER USER ASSOCIATION

The advantage of this approach is that the WUA:

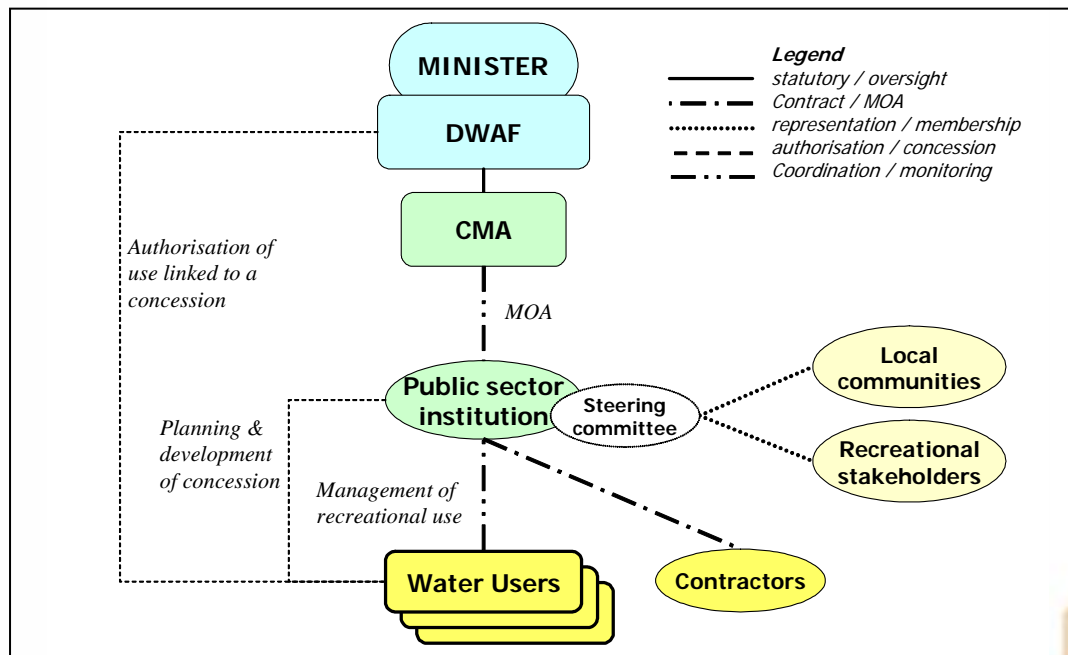
- Are intended to manage waterworks or resources for the mutual benefit of its members, but within the context of the NWA and relevant CMS.
- May also collect charges from the users to cover its costs - although the WUA is an independent water management institution, that is required to report to DWAF and Parliament in terms.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

PUBLIC SECTOR AS AGENT



INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

PUBLIC SECTOR AS AGENT

- Public sector bodies (such as parks boards or water boards) are given the responsibility of managing recreational use of a water resource, through a Memorandum of Agreement.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

PUBLIC SECTOR AS AGENT

- Under certain conditions, they may also be the delegated authority with the responsibility for planning and developing recreational concessions, in accordance with the RMP developed through a consultative process and approved by DWAF/CMA.
- A steering committee may be established by the delegated authority with stakeholder and community representation to assist in the development and management of recreational use.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

PUBLIC SECTOR AS AGENT

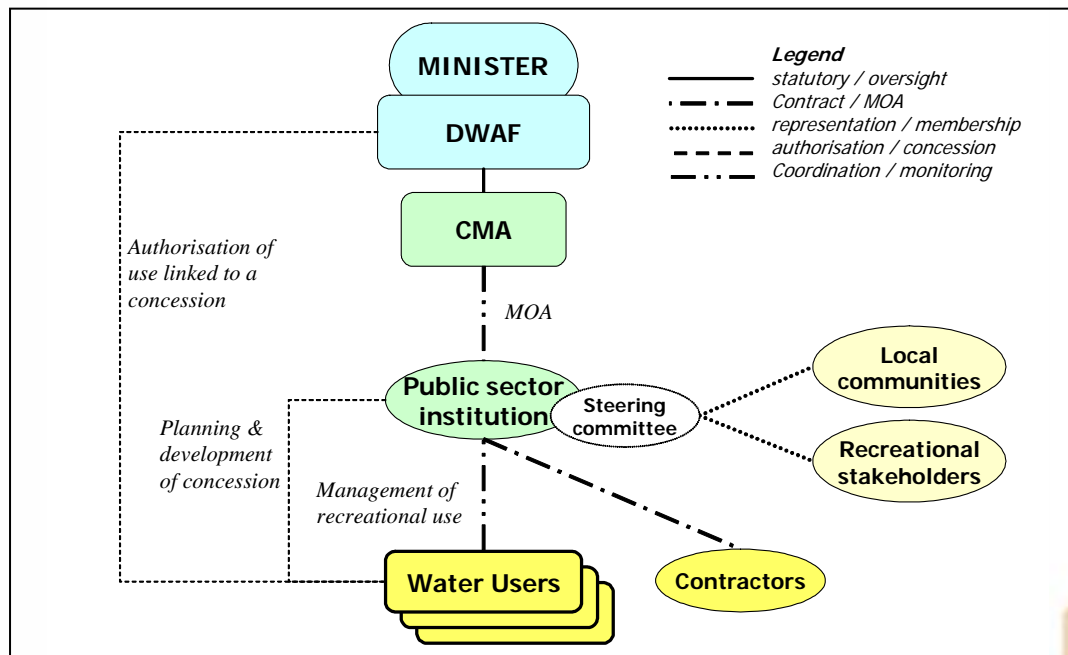
- This option is appropriate where the relevant institution has capacity and is already responsible for management activities associated with the water resource and surrounding state land, such as nature conservation (parks board) or operation of the waterworks (water board).

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

INSTITUTIONAL ARRANGEMENT FOR PUBLIC SECTOR AS AGENT

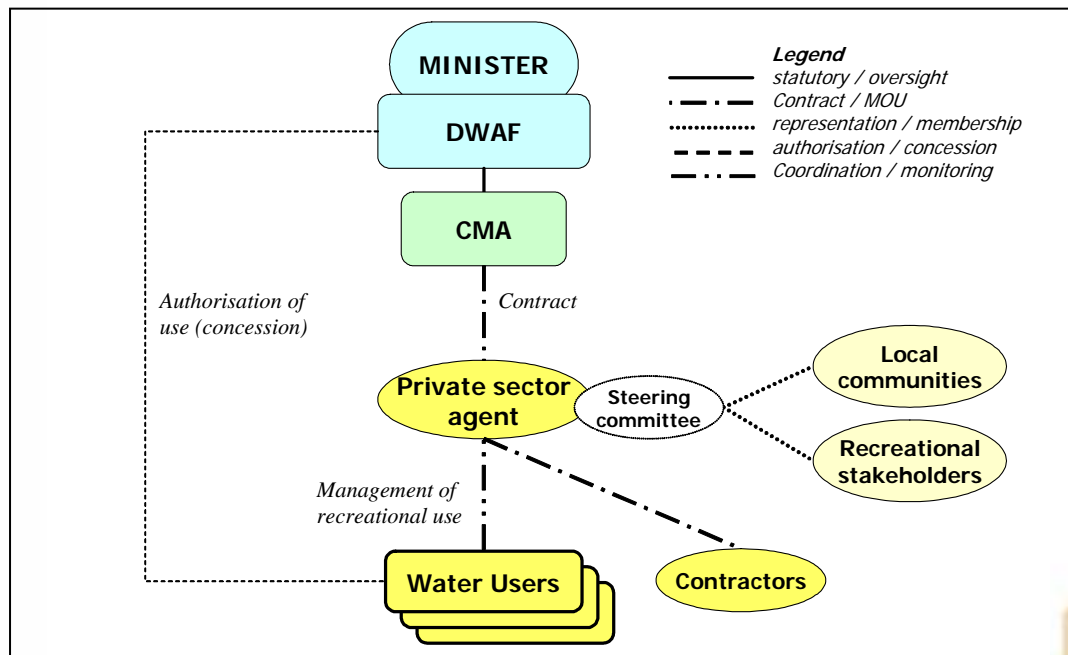


INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

PRIVATE SECTOR AGENT



INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

PRIVATE SECTOR AGENT

- In some cases, it may be appropriate to contract a private sector body/agent to manage and support the planning of recreational water utilisation on a water resource.
- This would be in accordance with an approved water RMP developed through a broad consultation process and driven by DWAF / CMA.
- Utilisation of water for recreational purposes would still be authorised by DWAF/CMA.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

PRIVATE SECTOR AGENT

- A steering committee may be established by the agent with stakeholder and community representation to assist in the coordination and management of recreational water use.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

PRIVATE SECTOR AGENT

- In terms of National Treasury's PPP regulations and guidelines the **private party's fee for its services**, in accordance to predefined performance criteria, may consist entirely of service tariffs or "user charges", entirely from a departmental budget, or a combination of the above.
- The collection of **water use charges** could thus be applied towards payment of the agent in the above context, but the allocation of the authorisation should remain with DWAF/CMA to ensure appropriate conduct.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

PRIVATE SECTOR AGENT

Private sector agent (as the management body) would be responsible for managing recreational:

- access;
- Utilisation; and
- development of the resource.

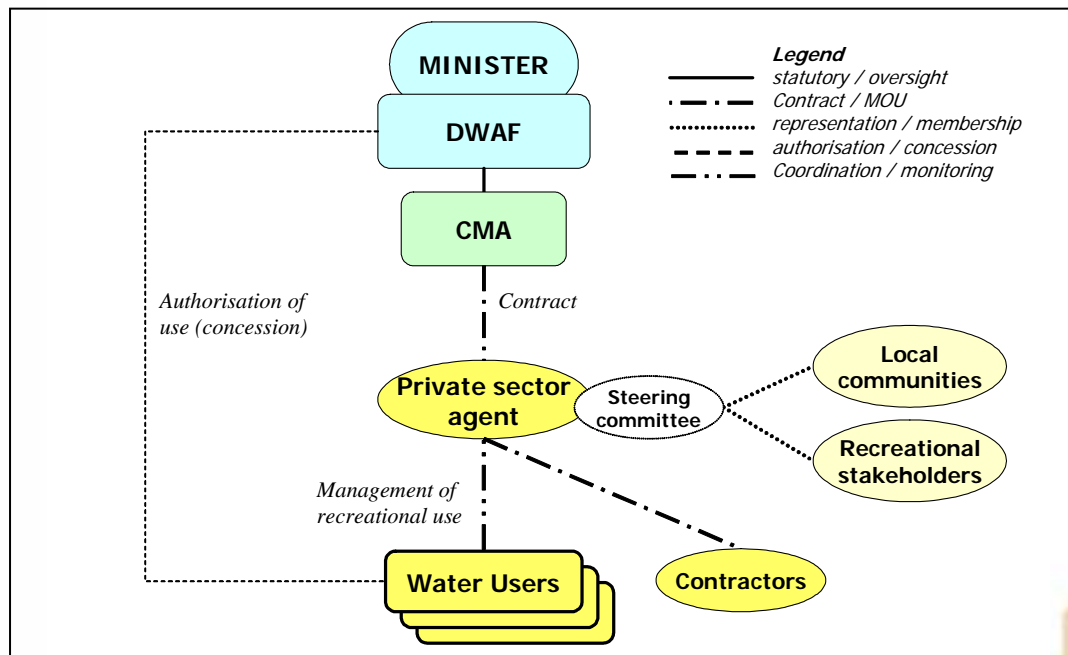
DWAF/CMA to monitor and oversee the contract/agreement with the private agent.

INSTITUTIONALISATION



INSTITUTIONAL OPTIONS

INSTITUTIONAL ARRANGEMENT FOR PRIVATE SECTOR AGENT



INSTITUTIONALISATION



INSTITUTIONAL OPTIONS - CONCLUSION

WATER USER ASSOCIATION

