



## water affairs

Department:  
Water Affairs  
REPUBLIC OF SOUTH AFRICA

EdST

Enquiries: A Matukane  
Telephone: 015 290 1215  
Reference: 6/2/2/6

### MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS

#### NATIONAL ASSEMBLY: QUESTION 2367 FOR WRITTEN REPLY

A draft reply to the above question asked by Mr M M Swathe (DA) is attached for your consideration.

Attached is a letter to the Member for your approval.

**DIRECTOR-GENERAL**

DATE: 17/09/2012

as

DRAFT REPLY APPROVED/AMENDED

**MRS B E E MOLEWA, MP**  
**MINISTER OF WATER AND ENVIRONMENTAL AFFAIRS**

DATE: 2012/09/17

NATIONAL ASSEMBLY

FOR WRITTEN REPLY

QUESTION NO 2367

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 31 AUGUST 2012  
(INTERNAL QUESTION PAPER NO. 28)

**2367. Mr M M Swathe (DA) to ask the Minister of Water and Environmental Affairs:**

- (1) Whether the Department of Water Affairs is investigating whether the specified dam walls are causing blockages in the Brak River in the Blouberg region of Limpopo province; if not, why not; if so, what are the relevant details with regard to each specified dam wall;
- (2) whether she is taking any action against (a) persons and/or (b) entities who have built illegal dam walls in the Brak River; if not, why not; if so, what are the relevant details;
- (3) whether she has issued orders for the removal of any dam walls in the Brak River since 1 January 2010; if not, why not; if so, what are the relevant details? NW2949E

---0000---

**REPLY:**

- (1) Yes, the Department's Regional Office: Limpopo has conducted investigation on 19 April 2012 at the certain farm (name furnished) regarding a weir structure which is built on the Brak River that is diverting the Brak River watercourse. The investigation have revealed that indeed the weir structure is built along the Brak River.
- (2) Yes, the Legal process is underway and a letter of demand (notice) has been issued to the company (name furnished), on 15 March 2012, where the Department is demanding that the owner of the farm who is also the owner of the company, to provide proof of lawfulness of the concern for the weir structure on the Brak River.
- (3) No, pending the result of the Validation and Verification excise as per Section 35 of the National Water Act, 1998 (Act No. 36 of 1998) which seek to validate and verify lawfulness of existing lawful water use, the Department has not issued any order for the removal of any dam walls or any structure in the Brak River since 1 January 2010.

On receipts of the results mention above in (3), the Department would then take an informed decision about the removal of unlawful dam walls and structure within the Brak River and South Africa as a whole.

---0000---