



water & sanitation

Department:
Water and Sanitation
REPUBLIC OF SOUTH AFRICA

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MINISTER OF WATER AND SANITATION

FOR WRITTEN REPLY

QUESTION NO 2863

DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 10 DECEMBER 2021
(INTERNAL QUESTION PAPER NO. 32)

2863. Mrs M R Molalla (EFF) to ask the Minister of Water and Sanitation:

Which interventions and/or measures have been put in place to systematically improve the monitoring of blocked water courses on a regular basis so that the illegal construction of dams that causes major challenges to water security in the Republic is mitigated?

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MINISTER OF WATER AND SANITATION

The Department of Water and Sanitation (DWS) has both proactive and reactive measures in place to monitor compliance to water legislation and to deal with transgressions where such might have occurred. The Compliance Monitoring Programme deals with authorised water users and "blocked water courses" does not necessarily translate to unlawfulness if done within the provisions of legislation.

In terms of the different aspects of the Compliance Programme the DWS implements the following:

- Monitors a certain number of water users, including dam owners for their compliance with legislation on an annual basis
- Proactively promotes compliance in various platforms such as the Catchment Management Forums in order to ensure that an understanding of the requirements of water legislation is achieved to secure compliance
- Conducts surveillance or spot check in the various catchments to detect any unlawful activities At provincial level.

- Monitors and reports non-compliance to the relevant competent authorities on an ongoing basis through the Environmental Management Inspectorate

The Department is also actively involved in the Environmental Impact Assessment processes for new developments such as the construction of dams. Through this process the Department is able to proactively deal with developments within water courses that may impact on water security.


In terms of reactive measures; the DWS has a toll free number: 0800 200 200 and an email customercare@dws.gov.za, as channels through which complaints of suspected non-compliance to water related legislation may be lodged by members of the public or interested and affected parties. In addition, the DWS has a dedicated Enforcement Unit that deals with complaints and provides liaison with enforcement agencies.

Although there is currently no obligation for dam owners of older dams classified as 'dams with a safety risk' to have outlets installed in their dams, this is a good dam engineering practice which the DWS will be promoting and enforcing on new applications for licences to construct dams. The Dam Safety Office of the department will also embark on a process to conduct an audit of in-stream dams to check whether outlet works for downstream releases and for emergency releases have been installed.


In terms of unlawfully constructed dams, the department has recently conducted an Enforcement blitz operation in the Western Cape. It is envisaged that other similar operations will be rolled out in other provinces. The department is also taking action against departmentally approved engineering professionals who have been involved in the construction of dams without following the prescripts of Chapter 4 of the National Water Act and Regulation 139 regarding the safety of dams. Offenders are referred to the Engineering Council of South Africa (ECSA) for violation of the ECSA Code of Conduct for registered professionals.

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DRAFT REPLY: RECOMMENDED/ NOT RECOMMENDED/ AMENDED


NAME: D Mochotlhi
ACTING DIRECTOR-GENERAL
DATE: 17-12-2021

DRAFT REPLY: APPROVED/ NOT APPROVED/ AMENDED


MR SENZO MCHUNU, MP
MINISTER OF WATER AND SANITATION
DATE: 18/01/2022