

DEPARTMENT OF WATER AND SANITATION

NO. 910

12 AUGUST 2016

INTEGRATED VAAL RIVER SYSTEM - LIMITING THE USE OF WATER IN TERMS OF ITEM 6 OF SCHEDULE 3 OF THE NATIONAL WATER ACT OF 1998 FOR URBAN AND IRRIGATION PURPOSES IN THE CATCHMENT AREAS OF THE DAMS SUPPLYING THE INTEGRATED VAAL RIVER SYSTEM AND FROM THE SYSTEM

I, **Sifiso Mkhize**, in my capacity as Acting Director-General of the Department of Water and Sanitation, on reasonable grounds, believe that a water shortage may exist on/in the Integrated Vaal River System (IVRS) including other areas within/of Thukela sub-system, Usutu subsystem, Inkomati, Heyshope, Zaaihoek catchment areas due to insufficient rains and that it is necessary to limit the taking of water that feeds the major dams and is taken from the Integrated Vaal River System.

The Minister of Water and Sanitation may in terms of item 6 (1) of Schedule 3 of the National Water Act of 1998 (Act 36 of 1998) (The Act) limit the use of water in the area concerned if the Minister on reasonable grounds believes that a water shortage exists within the area concerned. This power has been delegated to me in terms of section 63 (1) (b) of the Act.

Therefore in my capacity as the Director-General of the Department of Water and Sanitation, I hereby under delegated authority in terms of item 6 (1) of Schedule 3 to the Act limit the taking of water from the Integrated Vaal River System by the urban and irrigation users as follows:

- 1 15% of curtailment on urban water use in the aforementioned areas.
- 2 20% of curtailment on irrigation water use in the aforementioned areas.
- 3 The limitation applies from the date of this notice until further notice.

In exercising the powers, I have given preference to the maintenance of the Reserve, treated all water users on a basis that it is fair and reasonable, considered the actual extent of the water shortage, the likely effects of the shortage on the water users, the strategic importance of any water use and any water rationing or water use limitations by a water services institution having jurisdiction in the area concerned under the Water Services Act 108 of 1997.

Placing limitation on the taking of water use as set out in this notice is an administrative action affecting the rights of the public as contemplated in section 4 of the Promotion of Administrative Justice Act 3 of 2000 (PAJA). After I have taken into consideration all relevant factors, including those referred in section 4 (4) (b), I have decided that it is reasonable and justifiable in the circumstances to depart from the requirements referred to in section 4 (1) (a) to (e), (2) and (3) and instituted this limitation without allowing the water users affected and other role players to comment on the matter before I institute the limitation.

This notice overrides any other previous authorisation on water restrictions issued by the Department relating to this area.


T.M. pp.
ACTING DIRECTOR-GENERAL
DATE: 14/7/2016