

**MINISTER**

**HUMAN SETTLEMENTS, WATER AND SANITATION**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**QUESTION NO.: 60**

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**Mr T M Langa (EFF) to ask the Minister of Human Settlements, Water and Sanitation:**

Whether her department has been informed of the cause of the water crisis in the uMhlathuze Local Municipality; if not, why not; if so, what are the relevant details? NW62E

**REPLY:**

The Department of Water and Sanitation (DWS) is aware of water shortages in the Umhlathuze Local Municipality. The Umhlathuze Local Municipality (LM) abstracts and treats water from Lake Cubhu at the Esikhaleni Water Treatment works for supply to the Esikhaleni area. However, the water demand in the area exceeds the available supply, necessitating the rotational supply of water to ensure all residents have access to some water.

The Mhlathuze Water Board is currently working with the Umhlathuze LM to install a 15 Ml/day package treatment plant to augment supplies to the area. The municipality has reported that this project is in the final design stage and construction should begin in May 2021. It is envisaged that the project will be completed within 12 months. In the longer term, a pipeline is planned to supply water from the Nsezi Water Treatment Works to the Forest Hill Reservoirs.

Honourable Member, it is important to distinguish the functions of various government departments and the different spheres of government when it comes to access to water and sanitation services.

* The Department of Water and Sanitation is the custodian of water and in terms of the National Water Act is responsible for ensuring that water as a resource is allocated equitably and used beneficially in the public interest, while promoting environmental values.
* Schedule 4B of the Constitution places the function of provision of water services to local government (municipalities).
* Section 154 of the Constitution places a responsibility on national and provincial government to support and regulate local government in carrying out this mandate.
* Section 3 of the Water Services Act outlines the right of access to basic water supply and sanitation which mandates that “everyone has a right of access to basic water supply and basic sanitation” and places the responsibility on Water Services Authorities to ensure that they develop a Water Services Development Plan (WSDP) to ensure the realisation of this right.
* Section 4 of the Water Services Act sets conditions for the provision of water services.
* Section 9 of the Water Services Act prescribes that the Minister may from time to time develop compulsory national norms and standards for water services which outline the exact levels of services that municipalities must provide.
* Section 10 of the Water Services Act provides norms and standards for setting tariffs for the provision of water services.
* Section 11 of the Water Services Act mandates that “every Water Services Authority has the duty to all consumers or potential consumers in its area of jurisdiction to progressively ensure efficient, affordable, economical and sustainable access to water services.”
* Section 84(1) d of the Municipal Structures Act mandates that municipalities are responsible for the provision of potable water and domestic waste water disposal systems.