

WATER RIGHTS TRACKER

WATER SERVICES AUTHORITY

CHIEF ALBERT LUTHULI LOCAL MUNICIPALITY



OCTOBER 2026



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Map

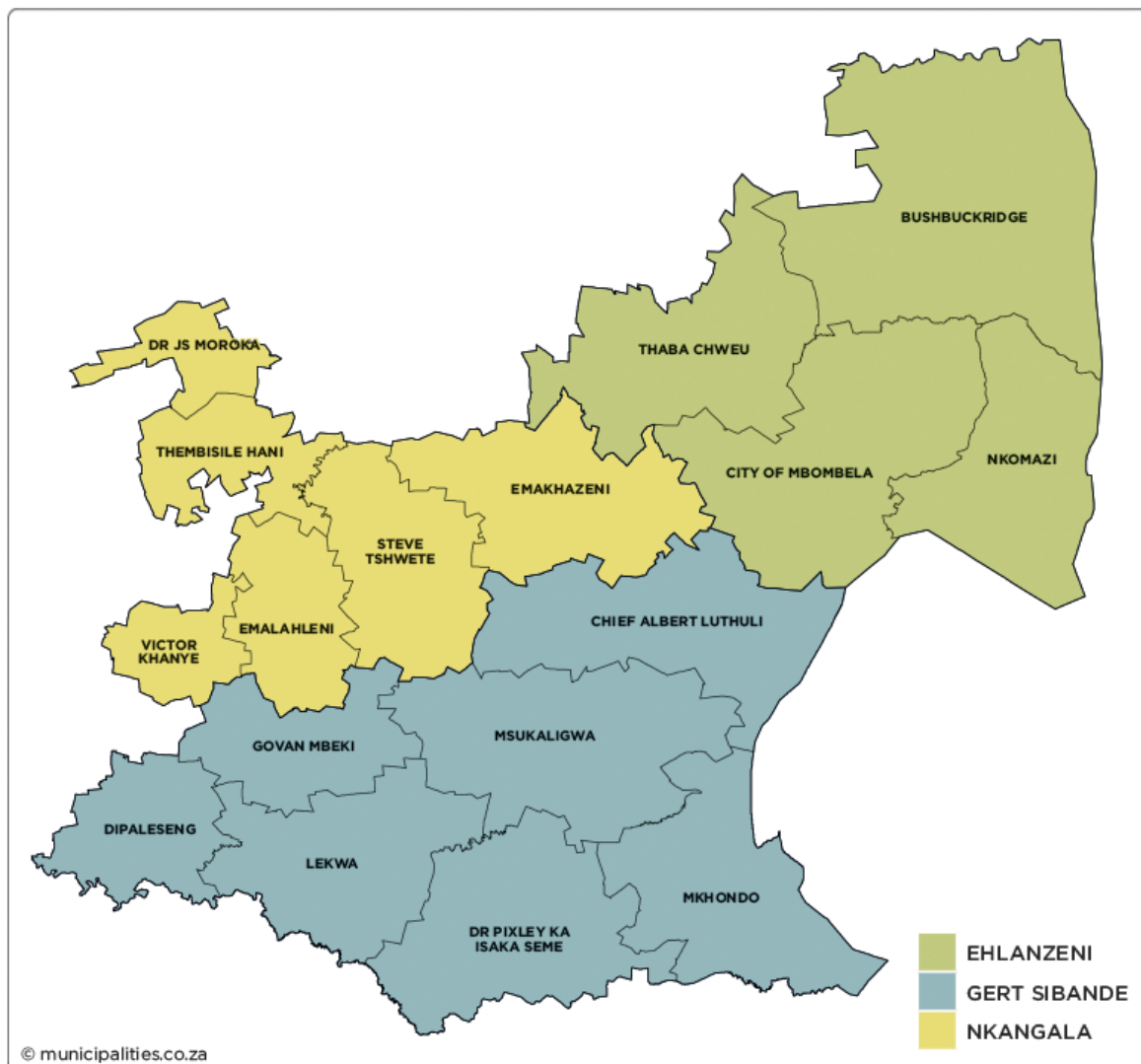


Figure 1: Geographical location of the Chief Albert Luthuli Local Municipality (source Municipalities of South Africa, <https://municipalities.co.za/provinces/view/6/mpumalanga>).

The Chief Albert Luthuli Local Municipality, is an inland WSA, situated in the Gert Sibande District Municipality on the Eswatini border.

Assessment: Progressive realization of the right to water in Chief Albert Luthuli Local Municipality (CALLM)

RIGHTS HOLDERS		
Demographics	Current Population: Ranges from 184,682 (IDP) to 247,664 (2022 Census) Population growth rate: 2.7% Sex Ratio: Moderate female majority Dependency: 30.7% under 15; dependency ratio 57.4	
Unemployment	35.4%	
KEY IMPLEMENTATION INDICATORS		
Availability	Raw water, groundwater, dam 0% of capacity used	
Physical access	Communal source +200m	10.8%
	Communal source – 200m	9%
	Water source in yard	80.2%
	Piped water in house	35.1%
	Service delivery point/household coverage ratio	0.84
Economic Access	Tariff variation: 5 categories, incl. residential, business, indigent, water tankers Tariff structure: Increasing block tariff (5 blocks, R6.74-R11.31) FBW: Indigent only Indigency: 1.9% of service delivery points, decreasing trend	
Adequacy	No information	
Quality	Microbiological compliance	37.5%
	Chemical (acute) compliance	87.5%
	Chemical (chronic) compliance	87.5%
Efficiency	WUE Score: 198 l/p/d (Excellent) Non-revenue water: 37.7%	
REASONABLE MEASURES		
Policy Efforts	By-law, Indigent Policy and Register, WSDP (outdated)	
Financial Resources (2024/25)	Budget sufficiency: 100% Revenue coverage: 100% Renewal spending: 7% Maintenance spending rate: 5%:	
Human Resources	Blue Drop shortfall: 5 Process Controllers, 1 Supervisor, 2 Technicians, 2 Qualified scientists	
SYSTEMIC DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE		
Leadership issues	Not mentioned	
Water planning issues	Unreliable statistics	
Funding model	-Financial distress (5 triggers) -No cost recovery for water supplied from boreholes	

	-Supply of water by means of water tankers is becoming unaffordable -High unaccounted for water in Elukwatini - Lack of bulk meters -Limited budget allocation from Municipal Infrastructure Grant (MIG); competing needs of water and roads infrastructure development programs -Revenue collection rate: 64%
Infrastructure issues	-Aging infrastructure resulting in high water losses and disruptions of water supply -No water network in deep rural areas (bulk water infrastructure) -Inadequate water treatment plant in Elukwatini -Existing infrastructure does not meet demand of the current population, leading to limited supply (rationing in Eersteboek and Empuluzi)
Electricity issues	-Power supply outages and breakdown of equipment
Ecological drivers	-Alien and invasive species (wattle consumes water) -Raw water source in Methula dries up in winter
Consumer issues	-General wastages of water by communities -Rationing water supply due to the demand exceeding supply in the Elukwatini (Eerstehoek) Water Scheme area
Water services intermediaries	Not mentioned
Third-party interference	- Competing uses (agriculture, mining, forestry) -Allegations of corruption for Mpumalanga - Province (Parliamentary oversight report) -Illegal connections that lead to excessive leaks (systems losses)
Intergovernmental coordination	DWS will expedite RBIG grant for Elukwatini/Eerstehoek
Scale	5,553km ² 8 WTWs, 13 pump stations, 704 km of bulk water supply lines, 0 km of reticulation pipelines and 35 reservoirs
UNIQUE DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE	
Overlapping governance structures	Not mentioned
Low literacy and education levels	No Schooling: 5.1%, tertiary ed 9.7%
Infrastructure backlogs	Significant piped water backlogs
Limited yellow fleet	Not mentioned
High vacancy rate	Not mentioned
Legal non-compliance	Carolina Wastewater Treatment Works requires urgent refurbishment to comply with legislative requirements

*Indicators highlighted in red flag potential human rights concerns

Narrative

RIGHTS HOLDERS

Population estimates for the Chief Albert Luthuli Local Municipality range from 184 682 (*IDP*) to 247 664 (2022 Census). The population growth rate of 2.7% is higher than the national average of 1.33%. There is a moderate female majority and 30.7% of the population are under the age of 15. The dependency ratio of 57.4 is lower than the reported national 2024 average of 48.4 and the global average of 58.4.1 There is a high rate of unemployment (expanded definition) at 35.4%.

KEY IMPLEMENTATION INDICATORS

The Chief Albert Luthuli Local Municipality is authorized to provide water services and does so by operating 8 water treatment works. Raw water is abstracted from, amongst others, Seekoelspruit, Lusushwana River, Boesmanspruit Dam, Komati River, Tweespruit, Mpuluzi River, Methula River and groundwater from various collieries.

In terms of physical access, 80.2% of consumers reportedly have a water connection in their yard, although only 35.1% enjoy water piped into their dwellings. A further 9% of the population have access to a communal source within 200m of their dwellings, but 10.8% rely on communal sources further than 200m away, which is a concern. The service delivery point/household coverage ratio is 0.84 meaning that the current service delivery points only cover 84% of the households counted in the 2022 Census.

The Chief Albert Luthuli Local Municipality does not provide a universal Free Basic Water Allowance, but in terms of law a municipality is not required to have one. Despite the high levels of unemployment, only 1.9% of service delivery points are covered by the indigency policy. Since 2017, the number of households benefitting from the indigency policy has decreased. The tariff structure (2021/22) shows an increasing block tariff structure (least expensive block is R6.74, most expensive is R11.31). The municipality has a very diverse range of tariff categories.

In terms of adequacy, there was no data to evaluate the number of planned or unplanned interruptions. However, there is some concern with water quality, with the Bushbuckridge Local Municipality reporting microbiological compliance at 37.5% and chemical acute compliance at 87.5% and chronic at 87.5%.

Water use efficiency is a major concern. The *Blue Drop* score of >198 l/p/d is good. According to the 2021/22 Auditor-General report, 37.7% of all water produced is non-revenue water.

REASONABLE MEASURES

The Chief Albert Luthuli Local Municipality has a water services by-law, an indigent policy and register and a Council-approved WSDP (2016).

The Chief Albert Luthuli Local Municipality's financial indicators between 2021/22 and 2024/25 show that the municipality's own revenue is just enough to cover its operational expenditure budget. The municipality's total income, which includes intergovernmental transfers, just covers capital and operational expenditure. The capital budget allocated to the renewal of all the municipality's infrastructure assets ranged between 7% to 18%,² and maintenance spend ranged from 5% to 169%.³ The revenue collection rate has fluctuated between 6% and 84% according to MFMA Schedule C datasets.

There are reportedly 48 staff employed in water treatment, and 135 people working for the water and sanitation department. According to the latest *Blue Drop* report, there is a shortfall of 5 process controllers, 1 supervisor, 2 qualified scientists and 2 technicians.

SYSTEMIC DRIVERS OF RIGHTS NON-COMPLIANCE

The key systemic drivers of rights non-compliance in the Bushbuckridge Local Municipality are:

- **Leadership issues:** None.
- **Water planning issues:** Unreliable statistics.
- **Funding model:** The Municipality is currently experiencing financial distress. There is no cost recovery for water supplied from boreholes. Water is supplied through water tankers, which is becoming unaffordable. There is a high amount of unaccounted water in Elukwatini. There are not enough bulk water meters. The limited budget allocation from the Municipal Infrastructure Grant means the Municipality must choose between the competing needs of water and roads infrastructure development programs. Additionally, the revenue collection rate is only 64%.
- **Electricity issues:** The Municipality experiences power supply outages and a breakdown of equipment on a regular basis.
- **Infrastructure issues:** Aging infrastructure contributes to high water losses and disruptions in the water supply. There is no bulk water services infrastructure in deep rural areas. The water treatment plant in Elukwatini is not adequate. Existing infrastructure further does not meet demand of the current population, leading to limited supply.
- **Ecological drivers:** Increasing invasive species and the raw water source in Methula dries up in winter.
- **Consumer issues:** High general wastages of water by communities. Water supply must be rationed due to the demand exceeding supply in the Elukwatini Water Scheme area.
- **Third-party interference:** Many competing water uses which include agriculture, mining and forestry. There are some allegations of corruption in the Mpumalanga province as in the Parliamentary oversight report. Furthermore, illegal connection that led to excessive leaks.

- **Scale:** Water services in the Chief Albert Luthuli Local Municipality are spread out over 5 553km

OVERSIGHT

1. The DWS has placed the Chief Albert Luthuli Local Municipality under regulatory surveillance. The municipal manager is required to submit a detailed corrective action plan.
2. Based on its 2021 Inquiry on the State of Service Delivery in Municipalities within Mpumalanga, the SAHRC made specific findings and issued directives against the Bushbuckridge Local Municipality (see Table: Oversight).
3. Parliament: The Select Committee on Co-Operative Governance and Traditional Affairs, Water, Sanitation and Human Settlements conducted Forensic Investigations in Mpumalanga Local Municipalities in Terms of Section 106 of the Local Government: Municipal Systems Act of 2000 (November 2022): The allegations include complaints of fraud and corruption in water services-related procurement. The Committee recommended that the MEC for CoGTA, NPA, SIU, and Hawks should fast-track investigations and prosecution where needed.
4. Mpumalanga Provincial COGTA submitted an overview report on water and sanitation services in the province (March 2022).

Expanded Table

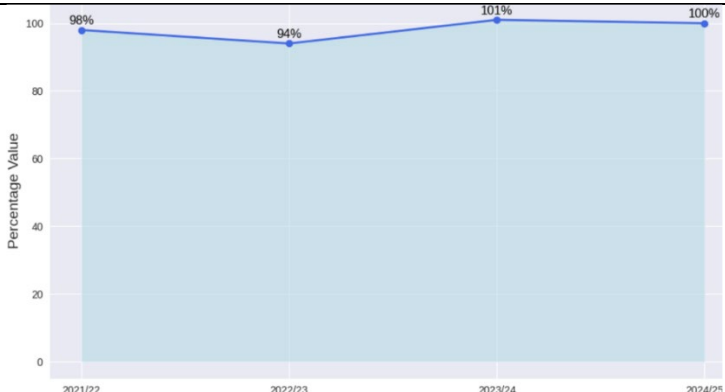
Indicator	Measurement	Sources
Name of the WSA	Chief Albert Luthuli Local Municipality	
Geographical information about the WSA.	A local municipality in the Gert Sibande District Municipality situated on the Eswatini border.	https://municipalities.co.za/overview/1147/chief-albert-luthuli-local-municipality
Spatial extent	5,553km ²	https://municipalities.co.za/overview/1147/chief-albert-luthuli-local-municipality
Municipal Wards	25	<i>Chief Albert Luthuli Annual Report 2020/21</i> , p. 28
Traditional Authorities	no easily accessible information	
Is the WSA authorized to provide water services?	yes	MDB Capacity Assessment, Table 21
Is the WSA currently providing water services?	water treatment and distribution	
Method of service provision	Self	IDP 2023/24, p 39
Context indicators		
Details of any water-related stresses experienced within the past five years.	During February 2023, this province experienced flooding which impacted infrastructure and increased the risk of water borne diseases. https://www.sanews.gov.za/south-africa/cogta-deputy-minister-visits-flood-hit-areas-mpumalanga .	
Demographics		
Population	227,686 (<i>Blue Drop</i>) 247,664 (2022 Census) 184,682 (IDP)	2023 <i>Blue Drop Report</i> , p. 308; https://municipalities.co.za/demographic/1147/chief-albert-luthuli-local-municipality ; IDP 2024/24, p. 22
Number of households (Census 2022)	63,303	https://municipalities.co.za/demographic/1147/chief-albert-luthuli-local-municipality

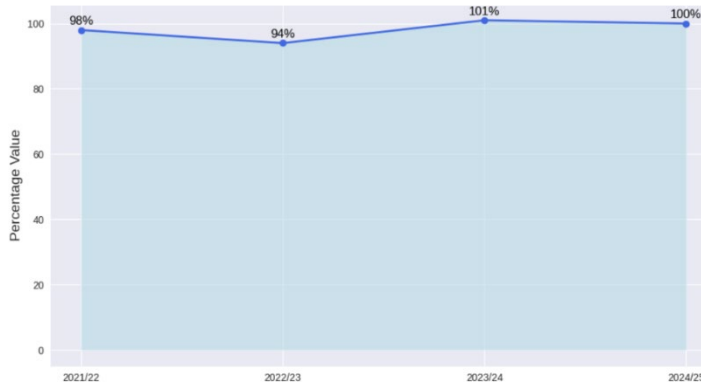
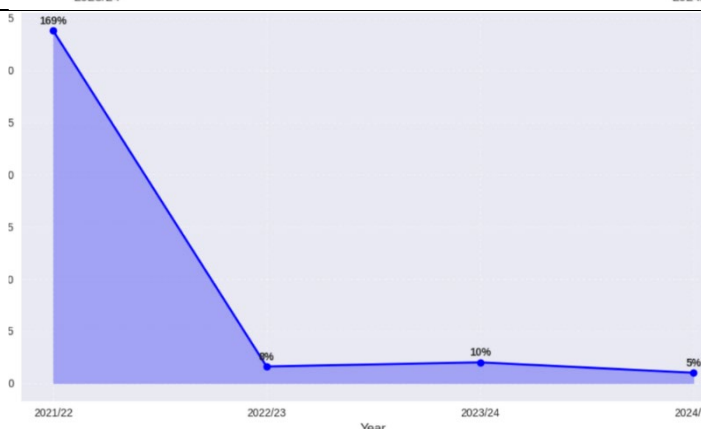
Number of domestic household service delivery points (2021/2022) (Non-Financial Census of Municipalities)	53,480	https://municipalities.co.za/services/1147/chief-albert-luthuli-local-municipality
Ratio service delivery points / households	0.84	
Number of non-domestic consumers Affects overall availability of water – big industrial users.	656	https://municipalities.co.za/services/1147/chief-albert-luthuli-local-municipality
Males per 100 females	88.0	https://municipalities.co.za/demographic/1147/chief-albert-luthuli-local-municipality
Gender Split	46.8% Male 54.2% Female	
Population growth rate per annum	2.7%	https://municipalities.co.za/demographic/1147/chief-albert-luthuli-local-municipality
Education	No Schooling: 14.1% Higher Education: 5.6%	https://municipalities.co.za/demographic/1147/chief-albert-luthuli-local-municipality
Financial capacity		
Economically active population (15-64)	63.6%	https://municipalities.co.za/demographic/1147/chief-albert-luthuli-local-municipality
Unemployment rate	35.4%	IDP 2023/24, p. 31
Dependency ratio	57.4	https://municipalities.co.za/demographic/1147/chief-albert-luthuli-local-municipality
Population under 15	30.7%	https://municipalities.co.za/demographic/1147/chief-albert-luthuli-local-municipality
Universal FBW Allowance	no	IDP 2023/24, p. 41
Number of service delivery points receiving FBW: 2021/22	635	https://municipalities.co.za/services

		/1147/chief-albert-luthuli-local-municipality																				
Percentage of FBW service delivery points	1.9%																					
Increase/decrease of FBW 2017/2018 – 2021/2022	1,859 to 635 Decrease	https://municipalities.co.za/services/1147/chief-albert-luthuli-local-municipality																				
Is the WSA currently experiencing financial problems? (As at 2022/23 Third Quarter)	s 138: 3 triggers	NT Municipalities Meeting Criteria, item 166																				
Details of the triggers present.	<table><tr><td>Failure to make payments as and when due for longer than 90 days that amount to more than R 1 million.</td><td>☒</td></tr><tr><td>Operating at a deficit of more than 5% of the total direct revenue.</td><td>☒</td></tr><tr><td>Negative OR outstanding audit.</td><td>☒</td></tr><tr><td>Negative cash position for two or more consecutive years.</td><td>☐</td></tr><tr><td>Failure to make any payment to Eskom when due that amounts to more than 2% of the operating expenditure.</td><td>☐</td></tr><tr><td>Failure to make any payment to the Water Board when due that amounts to more than 2% of the operating expenditure.</td><td>☐</td></tr><tr><td>Failure to make any payment to any other creditor when due that amounts to more than 2% of the operating expenditure.</td><td>☐</td></tr><tr><td>Failure to make any payment to Eskom when due that amounts to more than 40% of the operating expenditure.</td><td>☐</td></tr><tr><td>Failure to make any payment to the Water Board when due that amounts to more than 40% of the operating expenditure.</td><td>☐</td></tr><tr><td>Failure to make any payment to any other creditor when due that amounts to more than 40% of the operating expenditure.</td><td>☐</td></tr></table>	Failure to make payments as and when due for longer than 90 days that amount to more than R 1 million.	☒	Operating at a deficit of more than 5% of the total direct revenue.	☒	Negative OR outstanding audit.	☒	Negative cash position for two or more consecutive years.	☐	Failure to make any payment to Eskom when due that amounts to more than 2% of the operating expenditure.	☐	Failure to make any payment to the Water Board when due that amounts to more than 2% of the operating expenditure.	☐	Failure to make any payment to any other creditor when due that amounts to more than 2% of the operating expenditure.	☐	Failure to make any payment to Eskom when due that amounts to more than 40% of the operating expenditure.	☐	Failure to make any payment to the Water Board when due that amounts to more than 40% of the operating expenditure.	☐	Failure to make any payment to any other creditor when due that amounts to more than 40% of the operating expenditure.	☐	NT Municipalities Meeting Criteria
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Is municipality considered to be in financial distress?	yes	NT Municipalities Meeting Criteria, item 166																				
Is the municipality currently subject to a provincial intervention?	no	AGSA Website Based Report 2023/24																				
Water management																						
Is the rainfall within the WSA area (July 2022 to January 2023) above or below the average rainfall (464mm) for South Africa?	300 – 500mm	WeatherSA, Historical Rain map																				
Water abstraction authorized?	yes	2023 <i>Blue Drop Report</i> p. 306																				

Volume of authorized/(unauthorized) water abstraction?	4,000 kl/d			2023 <i>Blue Drop Report</i> p. 306
How many water treatment plants are in the WSA’s water services network?	Chief Albert Luthuli WSA manages 8 WTWs, 13 pump stations, 704 km of bulk water supply lines, 0 km of reticulation pipelines and 35 reservoirs. Total design capacity is 47 MI per day. 45 MI of the capacity is available. Average production: 0 MI per day 0% of capacity is used 2023 <i>Blue Drop</i> critical risk: 8 (Badplaas, Bettysgoed, Carolina, Ekulindeni, Elukwatini, Empuluzi/Mayflower, Fernie and Rumimentary Boreholes)			2023 <i>Blue Drop Report</i> , p.294, 304, 319.
How many biophysical water sources does this WSA have access to?	River	☒		2023 <i>Blue Drop Report</i> , p. 319
	Dam	☒		
	Saltwater	☐		
	Groundwater	☒		
Names of rivers and dams	Seekoelspruit, Lusushwana River, Boesmanspruit Dam, Komati River, Tweespruit, Mpuluzi River, Methula River)			2023 <i>Blue Drop Report</i> , p. 319
How many infrastructure water sources does this WSA have?	Water reclamation	☐		
	Desalination	☐		
	From natural source	☒		
Political Stability				
Is there a coalition government?	No ANC 38, EFF 8, APC 1, DA 1, IFP 1			https://municipalities.co.za/management/1147/chief-albert-luthuli-local-municipality
Has there been mayoral instability in the last 5 years?	None reported.			
MM/CFO Vacancy Snapshot	AGSA Website Based Report 2022/23			AGSA Web Based Report 2021/22
	Is the council established?	Yes		
	Council instability the previous year?	No		
	MM vacancy at the end of the year?	No		
	Number of months the MM has been in position.	1		
	CFO vacancy at the end of the year?	No		
	Number of months the CFO has been in position.	54		

Policy Efforts				
Water By-law				
Is there a water by-law?	yes			
Citation of by-law	PN 64 in PG 2933 of 1 June 2018			By-law
Mark with “yes” if the by-law makes provision for the following:	Matters incidental to providing water services to residents,	yes		By-law
	including communal sources	yes		
	Protecting water supply systems.	Yes		
	Prohibiting wasting water	yes		
	Prohibiting illegal connections	yes		
	Sets out standards for water installations and maintaining water infrastructure	yes		
	The installation and upkeep of fire extinguishing systems	yes		
	How service charges are calculated and levied	yes		
	Measures to ensure the quality of potable water	Only states that water services must comply with the minimum prescribed standards.		
	Preventing water pollution	yes		
Anything else?	Temporary water supply from hydrant, water audits, water restrictions			
Water Services Development Plan				
Is there a water services development plan?	No, but referred to in the IDP			IDP 2023/24, p 184
The validity duration of the plan (which years)	2016, process of review to update started in 2021			
General Policy Framework				
Is there an Indigent Policy?	yes			Indigent Support Policy

IDP												
Issues	-Existing infrastructure does not meet demand of the current population, leading to limited supply (rationing in Eersteboek and Empuluzi) -Power supply outages and breakdown of equipment -Competing uses (agriculture, mining, forestry) -Alien and invasive species (wattle consumes water) -Aging infrastructure leading to high water losses and disruption of supply -Raw water source in Methula dries up in winter -Illegal connections that lead to excessive leaks (systems losses). -General wastages of water by communities. -No cost recovery for water supplied from boreholes -No water network in deep rural areas (bulk water infrastructure) -Supply of water by means of water tankers is becoming unaffordable -Rationing water supply due to the demand exceeding supply in the Elukwatini (Eerstehoek) Water Scheme area -Inadequate water treatment plant in Elukwatini (Eerstehoek) area -High unaccounted for water in Elukwatini (Eerstehoek) area as a result of ageing infrastructure -Lack of bulk meters -Limited budget allocation from Municipal Infrastructure Grant (MIG); competing needs of water and roads infrastructure development programmes, where water takes a large portion of the budget; and also the prioritization by Province on water supply -The Carolina Wastewater Treatment Works requires urgent refurbishment in order t	IDP 2023/24, p. 201-4										
Resource Efforts												
Financial Resources												
Budget sufficiency (total budget revenue (excl. capital transfers)/ total budgeted OPEX) x 100	 <table><thead><tr><th>Year</th><th>Budget Sufficiency (%)</th></tr></thead><tbody><tr><td>2021/22</td><td>96%</td></tr><tr><td>2022/23</td><td>94%</td></tr><tr><td>2023/24</td><td>101%</td></tr><tr><td>2024/25</td><td>100%</td></tr></tbody></table>	Year	Budget Sufficiency (%)	2021/22	96%	2022/23	94%	2023/24	101%	2024/25	100%	MFMA Section 71, Schedule C datasets
Year	Budget Sufficiency (%)											
2021/22	96%											
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2024/25	100%											

Revenue coverage % (Total budgeted revenue (incl. capital transfers) / total budgeted CAPEX+ OPEX) x 100	 <table><tr><th>Year</th><th>Revenue coverage %</th></tr><tr><td>2021/22</td><td>98%</td></tr><tr><td>2022/23</td><td>94%</td></tr><tr><td>2023/24</td><td>101%</td></tr><tr><td>2024/25</td><td>100%</td></tr></table>	Year	Revenue coverage %	2021/22	98%	2022/23	94%	2023/24	101%	2024/25	100%	MFMA Section 71, Schedule C datasets
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2021/22	98%											
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2024/25	100%											
Revenue collection rate % (actual revenue collected / budgeted revenue) x 100	 <table><tr><th>Year</th><th>Revenue collection rate %</th></tr><tr><td>2021/22</td><td>6%</td></tr><tr><td>2022/23</td><td>68%</td></tr><tr><td>2023/24</td><td>42%</td></tr><tr><td>2024/25</td><td>84%</td></tr></table>	Year	Revenue collection rate %	2021/22	6%	2022/23	68%	2023/24	42%	2024/25	84%	MFMA Section 71, Schedule C datasets
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Capital budget allocated to renewal of existing assets (Amount allocated to renewal / Total capital budget) x 100	 <table><tr><th>Year</th><th>Capital budget allocated to renewal of existing assets %</th></tr><tr><td>2023/24</td><td>18%</td></tr><tr><td>2024/25</td><td>7%</td></tr></table>	Year	Capital budget allocated to renewal of existing assets %	2023/24	18%	2024/25	7%	MFMA Section 71, Schedule C datasets				
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Maintenance spending rate % (Total maintenance expenditure / total revenue collected) x 100	 <table><tr><th>Year</th><th>Maintenance spending rate %</th></tr><tr><td>2021/22</td><td>169%</td></tr><tr><td>2022/23</td><td>8%</td></tr><tr><td>2023/24</td><td>10%</td></tr><tr><td>2024/25</td><td>5%</td></tr></table>	Year	Maintenance spending rate %	2021/22	169%	2022/23	8%	2023/24	10%	2024/25	5%	MFMA Section 71, Schedule C datasets
Year	Maintenance spending rate %											
2021/22	169%											
2022/23	8%											
2023/24	10%											
2024/25	5%											
Infrastructure Resources												
Current infrastructure value	No information											

Human and Skills Resources		
Total number of staff employed in water treatment	48 (46 supervisory, 2 technical)	2023 <i>Blue Drop Report</i> ; p. 299, 301-2
Supervisor Staff/WTW Ratio	5.8	2023 <i>Blue Drop Report</i> , p. 299, 301-2
Technical Staff/WTW Ratio	0.3	2023 <i>Blue Drop Report</i> , p. 301-2
Staff Shortfall	5 Process Controllers 1 Supervisor 2 Technicians 2 Qualified scientists	2023 <i>Blue Drop Report</i> , p. 299, 301-2
Total number of staff employed in the water services department (excluding water treatment)	135	<i>Chief Albert Luthuli Annual Report 2020/21</i> , p. 55
Implementation		
Physical Access		
Physical access to water, number of consumers, and percentage of total consumers. [households]	Communal source +200m	5,775 10.8%
	Communal source – 200m	4,821 9%
	Water source in yard	42,884 80.2%
	Total	53,480
Piped water inside dwelling	35.1%	https://municipalities.co.za/demographic/1147/chief-albert-luthuli-local-municipality
Infrastructure backlog	43,656 piped water backlog (households draw water from boreholes or river)	IDP 2023/24, p. 41
Do schools and clinics have access to water on their premises.	No information	
Economic Access		
Economic access to water.	Free basic water for all	☐
	Free basic water for Indigent	☒
	Cross subsidy	☒
	Prepaid	☐
Step tariff for households in rand excl VAT. For 2021/22	0 < 6kl	Free
	7kl < 15kl	6.74
	16kl < 20kl	8.10
	21kl < 40kl	9.99
	41kl <	11.31
Categories of water use:	- Indigents - Households and churches - Business, industry and government (schools and health facilities are included in this category) - Departments	Final Tariffs Structure 2022/23

	- Water tankers R 60.36 per kl		
Tariffs for schools.	0 < 6kl	6.74	Final Tariffs Structure 2022/23
	7kl < 15kl	6.74	
	16kl < 20kl	8.10	
	21kl < 40kl	9.99	
	41kl <	11.31	
Tariffs for clinics	0 < 6kl	6.74	Final Tariffs Structure 2022/23
	7kl < 15kl	6.74	
	16kl < 20kl	8.10	
	21kl < 40kl	9.99	
	41kl <	11.31	
Adequacy			
Number of interruptions in 2024	no information		
Media reports on outages:	Poor security and water shortages undermining Mpumalanga healthcare https://www.sowetanlive.co.za/news/south-africa/2022-04-06-poor-security-and-water-shortages-undermining-mpumalanga-healthcare/		
Quality			
What is the WSA’s blue drop score?	2023: 19.0% 2011: 9.7%		2023 <i>Blue Drop Report</i> , p. 319
Blue Drop Score Improved/Deteriorated (2011-2023)	Improved		
Blue Drop microbiological compliance score	37.5% (0 Excellent WTWs; 8 Unacceptable WTWs)		2023 <i>Blue Drop Report</i> , p. 310
Blue Drop chemical (acute) compliance score	87.5% (7 Excellent WTWs; 1 Unacceptable WTWs)		2023 <i>Blue Drop Report</i> , p. 311
Blue Drop chemical (chronic health) compliance score	87.5% (7 Excellent WTWs; 1 Unacceptable WTWs)		2023 <i>Blue Drop Report</i> , p. 311
Does the WSA have a contract with the lab to test water samples?	No information		
Green Drop Risk Rating	Critical		2023 <i>Green Drop Report</i> , p. 322
Efficiency			
Blue Drop Water Use Efficiency Score	198 l/p/d (Good)		2023 <i>Blue Drop Report</i> , p. 308
No Drop Score 2021/22	0%		2023 <i>No Drop Report</i> , p. 195
Amount of non-revenue water in liters and in rands value.	The Auditor-General report for the year ended on 30 June 2021 shows that the WSA suffered water losses of which amounts to R 8 million and is 37,7% of the bulk water purchased.		AGSA Web Based Report 2021/22
Main reasons for water losses.	No information		

Oversight		
Department of Water and Sanitation		
Blue Drop actions	Regulatory surveillance MM required to submit detailed corrective action plan (activities, responsible persons, timelines, expected improvement) - (Badplaas, Bettysgoed, Carolina, Ekulindeni, Elukwatini, Empuluzi/Mayflower, Fernie and Rumimentary Boreholes	2023 Blue Drop Report, p. 319
Green Drop actions	None	2023 Green Drop Report, p. 322
Judicial Oversight		
	yes	
Full citation of judgement.	<i>Mazibuko and Others v City of Johannesburg and Others</i> [2009] ZACC 28	
Summary of judgement and the impact for future water services delivery.	The state has a duty not to interfere with the enjoyment of socio-economic rights. The state does not have a duty to immediately realise the right to water for everyone; instead, the state must take reasonable legislative and other measures to progressively realise the right within available state resources. It is not the place of the court to determine or quantify what is sufficient water. To assess the reasonableness of the legislative and policy measures used: State must be able to show what information it considered and the process it followed to determine its policy. If the process followed is flawed or the information gathered is inadequate or incomplete, appropriate relief may be sought. The Court's evaluation of the City's Free Basic Water Policy: (1) it has different levels of water provision; (2) the city uses pre-paid and credit meters; (3) provision to register as an indigent; (4) it is reasonable to afford basic water to all, rich and poor; (5) it is acceptable to afford basic water on a per household basis and not per person; (6) water policy was revised regularly; (7) communities too have duties, one such duty is to apply to be registered as an indigent if they wish to claim these benefits. Moving from a deemed consumption system to a pre-paid metered system with a free allocation of basic water is not a retrogressive step. Discontinuation of water for not reloading the meter with credits is not a discontinuation of service as per the Water Services Act and the municipality do not need to follow the giving notice and other related procedures.	Paras 47, 48, 50, 71, 78-102, 142
Full citation of judgement.	<i>Government of the Republic of South Africa v Grootboom</i> [2000] ZACC 19	
Summary of judgement and the impact for future water services delivery.	Access to a right, in this case the water right, would include removing barriers to access the right, empowerment measures, and special measures for vulnerable groups.	

	Measures must ensure access over time to a greater number of people that must be guided by targets. This requires legislation, policies, programmes and plans that ensure the implementation of legislation. All vulnerable groups must at least have access to basic service delivery.	
Full citation of the judgement.	<i>Capricorn District Municipality v SANCO</i> [2014] ZASCA 39	
Summary of judgement and the impact for future water services delivery.	Appeal from the High Court, Limpopo Division. Legal Question: Is the interdict given by the HC a competent order? The interdict mandated Capricorn District to repair and replace all leaking pipes and all defective meters within 12 months. In addition, the HC ordered that the WSA may only recover a flat rate of about R 70 for water services delivered from affected households. Judgement: The appeal succeeded. The SCA found that the HC cannot order the WSA to replace and repair the leaky pipes because water leakages do not adversely affect consumers. This is because water leakages are not captured by any water meter reflecting what is payable to any consumer. (Bear in mind that the community alleged they were liable to pay for the wasted water.) A court may also not determine the rates as which water services are charged as this is in contravention of the separation of powers.	Paras 25 and 21
Middelburg High Court: Parties <i>Department Water and Sanitation</i> <i>Msukaligwa Local Municipality</i>	The Middelburg High Court in Mpumalanga has reaffirmed the regulatory role played by the Department of Water and Sanitation when it found against Msukaligwa Local Municipality on eight counts brought before the court on Wednesday, 20 September 2023. The case relates to non-compliance by the municipality to several directives issued by the department in terms of sections 19 (3) and 53 (1) of the National Water Act, 1998 (Act no. 38 of 1998) for failure to take reasonable measures to prevent pollution of water resources and engaging in water uses without authorization in Ermelo Waste Water Treatment Works. This comes after the department's Compliance, Monitoring and Enforcement Unit undertook numerous investigations as far back as 2016 and subsequently issued notices and directives to the municipality. The outcomes of the investigations revealed that the Ermelo Waste Water Treatment Works was not authorized for engaging in water uses, not functioning adequately and the sewage was bypassing the process units and discharged straight into water resources, and there were poor operations and maintenance of the plant. Delivering the court order, Judge Bruce Langa ordered the Msukaligwa Local Municipality to:	Official press release: https://www.gov.za/speeches/msukwaligwa-local-municipality-taken-task-pollution-water-resources-21-sep-2023-0000 Media Report: https://www.citizen.co.za/news/south-africa/courts/msukwaligwa-municipality-guilty-water-polluting-dws-court-latest/

	Immediately cease unlawful water use at the Ermelo Waste Water Treatment Plant; Apply for registration of water use as set out in section 21 (f and g) of the National Water Act; Immediately take corrective measures to stop discharge of poor-quality effluent to prevent further pollution of water resources; Appoint a suitably qualified environmental consultant to compile a rehabilitation plan which must include the nature and impact of pollution has had or may have on the water resources; the measures that will be implemented to remediate the impact and clear time frames; The rehabilitation plan must be compiled within 30 days from the date of the order of the court and submitted to the department for approval; The municipality must implement all remedial action contained in the rehabilitation plan within 30 days from the approval of the plan by the department; The municipality to compile a close out report after the completion of the rehabilitation to be submitted to the department within 14 days of completion of the rehabilitation activities; The costs of the application by the department are to be paid by the municipality. Judge Langa said the Department of Water and Sanitation acted in good faith and made many reasonable efforts to make the municipality to account of its actions or non-actions, including the issuing of notices and directives. “The Applicant in my judgement was entitled to approach the court for relief once it became clear that the Respondent was not responding to the various notices in terms of which it was directed to take certain measures to correct the issues identified repeatedly in various reports dating back as far back as 2016. In this case the Respondent clearly remained supine despite the critical problem that was raised many times by the Applicant,” said Judge Langa. To this end, the Department of Water and Sanitation will, on Friday, 22 September 2023, issue a letter of intent to open a criminal case against Msukaligwa Local Municipality, should they fail to submit an action plan with clear time frames and budget. The Department is pleased by this court order and hopes that it will send a strong message to other institutions and serve as a deterrence to transgress provisions of the National Water Act.	
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SAHRC Reports		
Were any reports received and investigated on the right to water by the SAHRC?	yes	
Instruction issued to the MEC for Education Mpumalanga on water and sanitation in education facilities. Letter sent on 27 September 2021.	10. In accordance with its aforementioned Constitutional and statutory powers, the Commission kindly requests the following – 10.1. An action plan with clear and urgent timelines for: 10.1.1. the provision of sufficient water and sanitation facilities to the relevant schools mentioned in paragraph 4 above that meet the minimum requirements set out in the Norms and Standards. 10.1.2. the upgrading of water and sanitation facilities where necessary in all other schools in the Province in order to meet the minimum standards outlined in the Norms and Standards, including the replacement of pit latrines with other acceptable forms of sanitation in accordance with the Norms and Standards (where applicable). 10.1.3. the closing and securing of existent unsafe sanitation structures, including the closing and securing of pit latrines and other sanitation facilities no longer in use (where applicable). 10.1.4. to the extent necessary, the provision of temporary measures to ensure access to sufficient, acceptable water and sanitation pending the finalisation of the State's plan to provide longer term water and sanitation infrastructure in all schools compliant with the Norms and Standards and its Constitutional obligations. - It also sets out details for the plan in 10.1. - And that progress reports be submitted to the SAHRC every month on the implementation of the said plan.	
Complaint received against hospitals in Mpumalanga alleging lack of water. DA lodged complaint.	- Mapulaneng Hospital in Bushbuckridge was being probed for alleged water shortages. Unable to find information on the outcome of the investigation.	https://www.sahrc.org.za/index.php/sahrc-media/news/item/2817-sahrc-probes-3-mpumalanga-hospitals-for-alleged-lack-of-medical-services-water-shortages
Complaints received from communities about service delivery failures, including inadequate water services. Press Release Dated 11 February 2022	From 27 September 2021 to 1 October 2021, the Commission in Mpumalanga conducted an investigative inquiry into service delivery challenges within local municipalities in Mpumalanga. The inquiry followed service delivery complaints against various local municipalities in the province over the years. The issues raised in the various complaints included the failure by municipalities to provide water and housing, sewage spillages, sewage treatment	https://www.sahrc.org.za/index.php/sahrc-media/news-2/item/2952-media-advisory-sahrc-s-investigative-inquiry-into-the-

	challenges, electricity outages, non-collection of refuse and potholes on the roads. 1. Unable to find information on the outcome of the investigation.	<u>state-of-service-delivery-within-local-municipalities-in-mpumalanga</u>
Investigative Inquiry into the State of Service Delivery within municipalities in Mpumalanga, 2021 (published 2024)	Findings against CALLM: CALLM admitted that there is a significant backlog in water provision and further that the quality of water supplied by the municipality is non-compliant with the required standards. The site inspections by the Commission also revealed that there are challenges to water provision in Mayflower, Lochiel, Tjakastad, Nhlazatje, and Badplaas. The quality of water was also found not to be of the required standards. The municipality is therefore in breach of section 27(1)(b) of the Constitution and sub regulations 3 and 4 of the regulations relating to compulsory national standards and measures to conserve water. The planning of the municipality is premised on old statistics dating back from 2016 which renders the planning ineffective as the population has grown significantly in the last five years. Like in all other local municipalities in Mpumalanga, there is a lack of prioritisation of refuse removal resulting in the violation of residents' right to a clean environment. Directives against CALLM: Within ninety (90) days of this report to comply with the provisions of section 27(1)(b) of the Constitution and sub regulations 3 and 4 of the regulations relating to compulsory national standards and measures to conserve water by providing a minimum quantity of potable water of 25 litres per person per day or 6 kilolitres per household per month; at a minimum flow rate of not less than 10 litres per minute; within 200 metres of a household; and with an effectiveness that no resident is without a supply for more than seven full days in any year. Within ninety (90) days of this report submit a comprehensive council-approved plan on how the municipality plans to deal with the waste management backlog within the municipality. Furthermore, a schedule reflecting the areas and days of waste collection in the municipality and an indication of adherence to the schedule. To the extent the schedule is not adhered to, reasons for the deviation and plans to address non-compliance with the schedule.	SAHRC, <i>Investigative Inquiry into the State of Service Delivery within Municipalities in Mpumalanga, 2021</i> (2024, p. 246-247).

	The municipality is directed, subject to the availability of funds, to work closely with StatsSA for the acquisition of recent and updated statistics in ensuring that its planning is premised on updated information.	
Parliament		
Report of the Select Committee on Co-Operative Governance and Traditional Affairs, Water, Sanitation and Human Settlements on Forensic Investigations Conducted in Mpumalanga Local Municipalities in Terms of Section 106 of the Local Government: Municipal Systems Act of 2000: Dated 23 November 2022	- conducted proactive oversight - cannot or does not fulfil a statutory obligation binding on that municipality or that maladministration, fraud, corruption or any other serious malpractice has occurred or is occurring in a municipality - As part of ensuring executive accountability and performing parliamentary oversight on matters related to corruption, fraud and maladministration. - Amongst the allegations are complaints of fraud and corruption in water services-related procurement. Recommendations made that the MEC for CoGTA, NPA, SIU, and Hawks should fast-track investigations and prosecution where needed.	
Other Oversight Institutions		
Provincial COGTA: Provincial Overview Report on Water and Sanitation Services 15 March 2022	Interventions - Work has been completed in the Standerton Water Treatment Works to address filters and pipes which are making the plant ineffective. Further the Department is finalizing an intervention to repair and maintain motors and pumps if various treatment works in Chief Albert Luthuli municipality. - Municipal project managers supported improving performance on the implementation of infrastructure projects funded through various grants (MIG, IUDG, RBIG and WSIG). - COGTA is intervening in terms of project preparation, master planning, asset care, revenue enhancement and spatial restructuring. - Public-Private Growth Initiative is on board through the DDM approach in mobilizing private sector funding. - DDM One Plan aligned to 6th Municipal Administration to revamp the priority of infrastructure development to address service delivery anomalies. - Expediting the implementation of the Mountain View Regional/Mbombela Dam. - Re-allocation of grants by DWS to the Emalahleni municipality for the implementation of water and sanitation infrastructure. - Assess the possibilities for further grant injections to municipalities with bulk infrastructure challenges. - Prioritize DR JS Moroka municipality in dealing with its acute bulk water supply challenges including immediate engagements with the City of Tshwane. - Accelerate the Implementation of the Loskop Bulk Water scheme to stabilise bulk water supply for Thembeisile Hani municipality.	

	- Accelerate the operation of the Hoxane Bulk water scheme for the equitable distribution between Bushbuckridge and City of Mbombela municipalities by finalising the Service Level Agreement between the parties. - Mobilization of the private sector through the District Development Model across the three districts to support municipalities in addressing infrastructure challenges. - Accelerate the review of the Provincial Water Master Plan to address issues of ageing infrastructure and backlog. - Maintenance and upgrade of the ageing infrastructure projects of all treatment plants in the province to improve water quality. 2. Improve Infrastructure planning, upgrading and maintenance through implementation of programmes supported by DBSA such as Infrastructure Project Preparation, Master Planning and Asset care.	
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Sources:

- Auditor-General of South Africa MFMA Report for 2021/22 <https://mfma-2022.aqsareports.co.za/province/limpopo>
- Department Water and Sanitation Water Services Development Planning Website Tool <https://ws.dws.gov.za/wsdp/Index.aspx#>
- Department Water and Sanitation Municipal Strategic Self-Assessment for year ended in 2022
- Department Water and Sanitation Blue Drop Progress Report 2023
- Municipal Demarcation Board Municipal Powers and Functions Capacity Assessment 2018: Sectoral Report for Water and Sanitation
- Independent Electoral Commission Local Government Elections Dashboard accessed at <https://results.elections.org.za/dashboards/lge/>
- Municipalities of South Africa <https://municipalities.co.za/provinces/view/5/limpopo>
- National Treasury Municipalities Meeting Criteria for Determining Serious Financial problems in Terms of Sections 138 and 140 of the MFMA for the fourth quarter of 2022/23
- WeatherSA Historical Rainmap for July 2022- January 2023 accessed at <https://www.weathersa.co.za/home/historicalrain>
- World Health Organisation Statistics accessed at <https://www.who.int/data/gho/data/indicators/indicator-details/GHO/number-of-diarrhoea-deaths-from-inadequate-water-sanitation-and-hygiene>