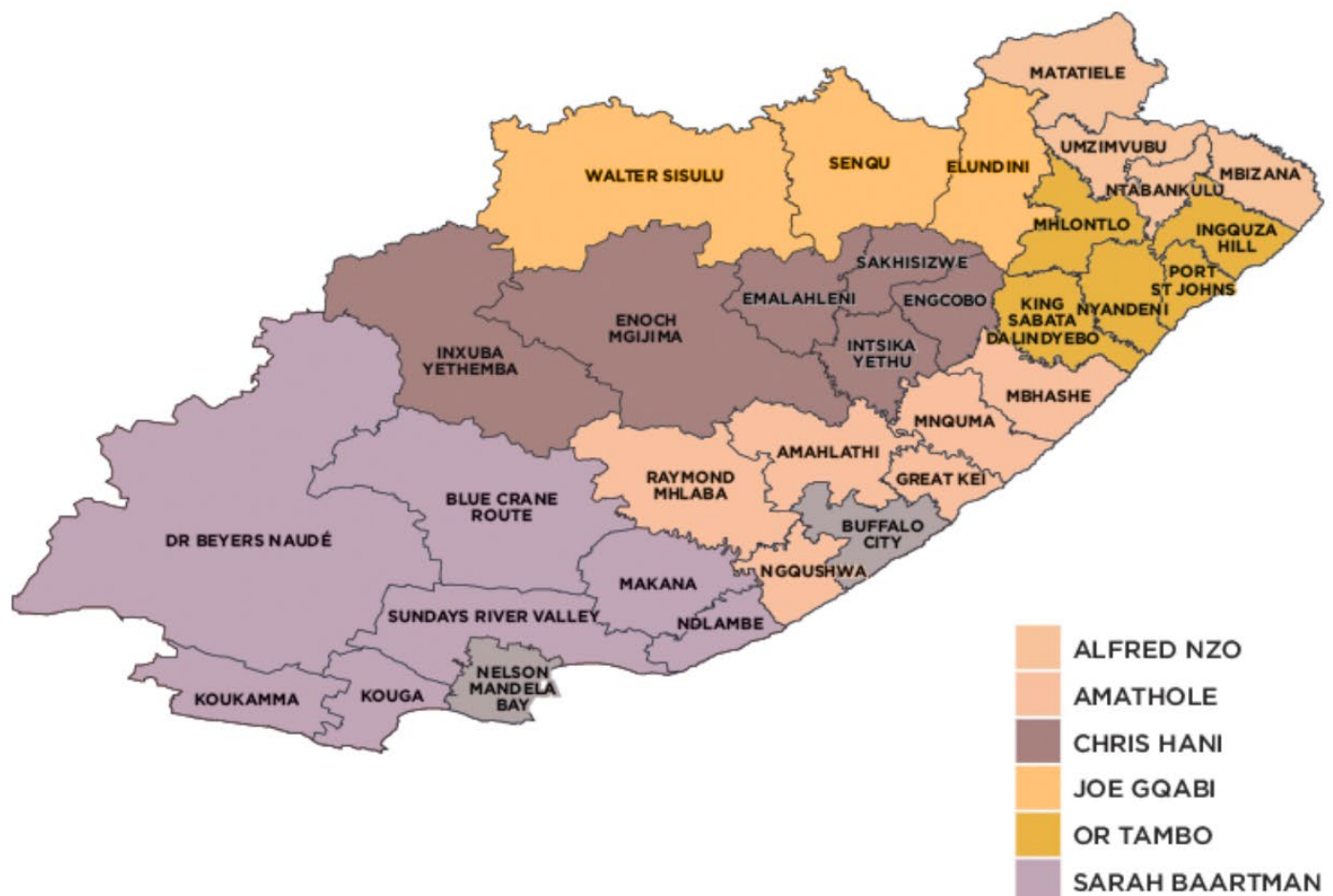


# WATER RIGHTS TRACKER

WATER SERVICES AUTHORITY

## OR TAMBO DISTRICT MUNICIPALITY



OCTOBER 2026

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## Map

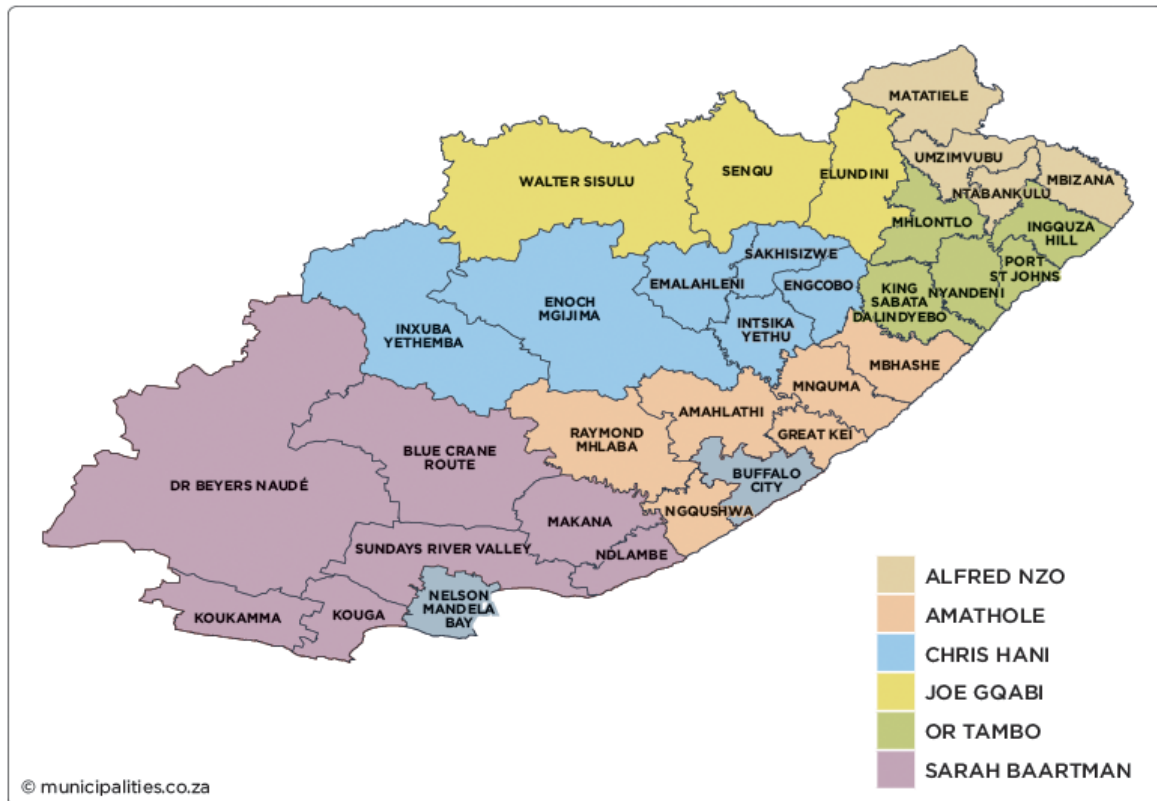


Figure 1: Geographical location of the OR Tambo District Municipality (source Municipalities of South Africa, <https://municipalities.co.za/provinces/view/1/eastern-cape>).

The OR Tambo District Municipality is located in the north-eastern portion of the Eastern Cape Province, on the coastline.

## Assessment: Progressive realization of the right to water in OR Tambo District Municipality

| RIGHTS HOLDERS                                  |                                                                                                                                                                                                               |       |  |
|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|--|
| Demographics                                    | Current Population: Ranges from 568,688 ( <i>Blue Drop</i> ) to 1,540,000 (IDP)<br>Population growth rate: 0.92%<br>Sex Ratio: Moderate female majority<br>Dependency: 35.1% under 15; dependency ratio 70.0  |       |  |
| Unemployment                                    | 55.6%                                                                                                                                                                                                         |       |  |
| KEY IMPLEMENTATION INDICATORS                   |                                                                                                                                                                                                               |       |  |
| Availability                                    | Rivers, dams, groundwater<br>51% of capacity used                                                                                                                                                             |       |  |
| Physical access                                 | Communal source +200m                                                                                                                                                                                         | 10.7% |  |
|                                                 | Communal source – 200m                                                                                                                                                                                        | 30.5% |  |
|                                                 | Water source in yard                                                                                                                                                                                          | 58.8% |  |
|                                                 | Piped water in house                                                                                                                                                                                          | 29.3% |  |
|                                                 | Service delivery point/household coverage ratio                                                                                                                                                               | 0.44  |  |
| Economic Access                                 | Tariff variation: Domestic, business, govt<br>Tariff structure: Increasing block tariff (5 blocks, R7.82-R14.19)<br>FBW: Indigent only<br>Indigency: 78.3% of service delivery points, no change in the trend |       |  |
| Adequacy                                        | No available information                                                                                                                                                                                      |       |  |
| Quality                                         | Microbiological compliance                                                                                                                                                                                    | 90.3% |  |
|                                                 | Chemical (acute) compliance                                                                                                                                                                                   | 69.9% |  |
|                                                 | Chemical (chronic) compliance                                                                                                                                                                                 | 99.3% |  |
| Efficiency                                      | WUE Score: 130 l/p/d (Excellent)<br>Non-revenue water: 17%                                                                                                                                                    |       |  |
| REASONABLE MEASURES                             |                                                                                                                                                                                                               |       |  |
| Policy Efforts                                  | Indigent Policy, outdated WSDP, draft by-law                                                                                                                                                                  |       |  |
| Financial Resources (2024/25)                   | Budget sufficiency: 104%<br>Revenue coverage: 175%<br>Renewal spending: 0%<br>Maintenance spending rate: 2%                                                                                                   |       |  |
| Human Resources                                 | <i>Blue Drop</i> shortfall: 56 Process Controllers, 0 Supervisors, 1 Technician, 0 Qualified scientists                                                                                                       |       |  |
| SYSTEMIC DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE |                                                                                                                                                                                                               |       |  |
| Leadership issues                               | Political instability and chaos                                                                                                                                                                               |       |  |
| Water planning issues                           | -Unreliable statistics<br>-Lack of capacity to monitor water losses<br>-Illegal connections<br>-Non enforcement of by-laws<br>-Non review of major policies leading to poor service delivery                  |       |  |

|                                                      |                                                                                                                                                                                                                                                                                                                                                                                                        |
|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                      | <ul style="list-style-type: none"> <li>-Increased non-revenue water through illegal connections</li> <li>-Water billing issues, especially lack of bulk meters to measure the distribution of water supply</li> <li>-Aged and dilapidated water services infrastructure</li> <li>-Theft and vandalism</li> <li>-Over stressed system</li> <li>-Use of tankers to assist areas with no water</li> </ul> |
| Funding model                                        | <ul style="list-style-type: none"> <li>-Using a cost recovery model</li> <li>-Grant dependent</li> <li>-Failure to spend capital grants and implement capital projects</li> </ul>                                                                                                                                                                                                                      |
| Infrastructure issues                                | <ul style="list-style-type: none"> <li>-Financial constraints for infrastructure maintenance, repairs and renewal</li> <li>-Vandalism of the infrastructure</li> </ul>                                                                                                                                                                                                                                 |
| Electricity issues                                   | <ul style="list-style-type: none"> <li>-Illegal connections</li> <li>-Billing challenges</li> <li>-Challenge of electricity supply in informal settlements</li> </ul>                                                                                                                                                                                                                                  |
| Ecological drivers                                   | Not mentioned                                                                                                                                                                                                                                                                                                                                                                                          |
| Consumer issues                                      | -Consumer statements from the monthly billing system not send due to ITC infrastructure challenges                                                                                                                                                                                                                                                                                                     |
| Water services intermediaries                        | -Not mentioned                                                                                                                                                                                                                                                                                                                                                                                         |
| Third-party interference                             | -Illegal connections                                                                                                                                                                                                                                                                                                                                                                                   |
| Intergovernmental coordination                       | Not mentioned                                                                                                                                                                                                                                                                                                                                                                                          |
| Scale                                                | 5,553km <sup>2</sup><br>8 WTWs, 13 pump stations, 704 km of bulk water supply lines, 0 km of reticulation pipelines and 35 reservoirs                                                                                                                                                                                                                                                                  |
| <b>UNIQUE DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE</b> |                                                                                                                                                                                                                                                                                                                                                                                                        |
| Overlapping governance structures                    | 150 wards, no information on number of traditional authorities                                                                                                                                                                                                                                                                                                                                         |
| Low literacy and education levels                    | No Schooling: 12.0%, tertiary ed : 8.4%                                                                                                                                                                                                                                                                                                                                                                |
| Infrastructure backlogs                              | <ul style="list-style-type: none"> <li>-High water backlogs</li> <li>-Infrastructure backlog</li> <li>- The extent of the water supply backlog within the O R Tambo District Municipality is 28,2 % with most of the households that still have no access to any water supply infrastructure.</li> </ul>                                                                                               |
| Limited yellow fleet                                 | -Old fleet and firefighting equipment                                                                                                                                                                                                                                                                                                                                                                  |
| High vacancy rate                                    | -Municipal Manager and Chief Financial Officer in positions 13 and 14 months respectively                                                                                                                                                                                                                                                                                                              |
| Legal non-compliance                                 |                                                                                                                                                                                                                                                                                                                                                                                                        |

\*Indicators highlighted in red flag potential human rights concerns

## Narrative

### RIGHTS HOLDERS

Population estimates for the OR Tambo District Municipality range from 568 688 (Blue Drop) to 1 540 000 (IDP). The population growth rate of 0.92% is lower than the national average of 1.3%. There is a moderate female majority and 35.1% of the population are under the age of 15. The dependency ratio of 70 is higher than the reported national 2024 average of 48.4 and higher than the global average of 58.4.<sup>1</sup> There is a high level of unemployment (broad definition used) in this municipality at 55.6%.

### KEY IMPLEMENTATION INDICATORS

The OR Tambo District Municipality is authorised to provide water services and can abstract water from the Mthakaty River, Mtata River, Gunyeni River, Gadu River, Xurha River, Xilinx River, Hlabathi River, Mntafufu Dam, Mabaleni Dam, Mhlanga River, Manqondo River, Itsitsa River, Mnguzena River, Nzwakazi Dam, Ngqongweni River, Mngaza River, Bulolo Dam, Nqadu Dam, Mtata Dam, Xhokonxa River, Cengcane Dam and groundwater.

In terms of physical access, 58.8% of consumers reportedly have a water connection in their yard, and 29.3% enjoy water piped into their dwellings. About 30.5% of the population has access to a communal source within 200m of their dwellings, and 10.7% rely on communal sources further than 200m away. The service delivery point/household coverage ratio is 0.44 meaning that the current service delivery points cover 44% of the households counted in the 2022 Census.

The OR Tambo District Municipality does not provide a universal Free Basic Water Allowance, although in terms of law a municipality is not required to have one. About 78.3% (very high) of service delivery points are covered by the indigency policy. Since 2017, the number of households benefiting from the indigency policy has increased. The tariff structure (2021/22) shows an increasing block tariff structure (least expensive block is R7.82, most expensive is R14.19). The municipality has only 3 tariff categories.

No reliable data could be found about the number of water services interruptions experienced by the community. There is a concern with water quality, with the OR Tambo District Municipality reporting microbiological compliance at 90.3% and chemical acute compliance at 69.9% and chronic at 99.3%.

Water use efficiency is average. The *Blue Drop* score of >130 l/p/d is excellent. According to the 2021/22 Auditor-General report, 17% of all water produced is non-revenue water, which is not a concern.

### REASONABLE MEASURES

The OR Tambo District Municipality has a valid water services by-law and an indigent policy. However, the water services development plan is outdated.

The Municipality's financial indicators between 2021/22 and 2024/25 show that the municipality's own revenue is enough (175%) to cover its operational expenditure budget.

The municipality's total income, which includes intergovernmental transfers, is enough (104%) to cover capital and operational expenditure. The portion of capital budget allocated to the renewal of assets ranged between 0% and 0% and maintenance expenditure ranged between 0% and 3%. The revenue collection rate has fluctuated between 45% and 62% according to MFMA Schedule C datasets.

There are 29 municipal officials employed in water treatment. According to the latest *Blue Drop* report, there is a staff shortfall of 56 process controllers, and 1 technician in the department responsible for water treatment.

## SYSTEMIC DRIVERS OF RIGHTS NON-COMPLIANCE

The key systemic drivers of rights non-compliance in the OR Tambo District Municipality are:

- **Leadership issues:** None.
- **Water planning issues:** Unreliable statistics. Infrastructure challenges. Inability to address water losses. Outdated policies.
- **Funding model:** Grant dependent. Inability to spend grants. Billing problems and not sufficiently collecting revenue.
- **Electricity issues:** Illegal connections.
- **Infrastructure issues:** Ageing infrastructure. Budget constraints for infrastructure maintenance, repairs and renewal. Vandalism.
- **Ecological drivers:** None.
- **Consumer issues:** None.
- **Intermediaries:** None.
- **Third-party interference:** Illegal connections, vandalism and theft.
- **Scale:** Water services in the OR Tambo District Municipality are spread out over 5 553 km<sup>2</sup>.

## OVERSIGHT

1. Public protector undertook a systemic investigation into allegations of inadequate and lack of provision of essential services (See, Table: Other Oversight Institutions, for more details).

## Expanded Table

| Indicator                                                                     | Measurement                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Sources                                                                                                                     |
|-------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
| <b>Name of the WSA</b>                                                        | OR Tambo District Municipality                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                             |
| Geographical information about the WSA.                                       | This district municipality is located to the east of the Eastern Cape Province. It is one of six district municipalities in the province.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <a href="#">OR Tambo District Municipality - Overview</a>                                                                   |
| Spatial extent                                                                | 12,141km <sup>2</sup>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <a href="#">OR Tambo District Municipality - Overview</a>                                                                   |
| Municipal wards                                                               | 150                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | IDP 2023/24, p. 28                                                                                                          |
| Traditional Authorities                                                       | No easily accessible information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | IDP 2023/24                                                                                                                 |
| Is the WSA authorized to provide water services?                              | yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | IDP 2023/24, p. 162                                                                                                         |
| Is the WSA currently providing water services?                                | water treatment and distribution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Emalahleni Municipality, <i>Annual Report 2022/2023</i> , p. 43                                                             |
| Method of service provision                                                   | self                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | IDP 2023/24, p. 162                                                                                                         |
| <b>Context indicators</b>                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                             |
| Details of any water-related stresses experienced within the past five years. | <p>(2019) Failure by the Amathole District and Raymond Mhlaba Municipalities to maintain and improve water supply infrastructure, and to react to the drought in a timely manner, was to blame for how serious the crisis [drought] had become.<br/> <a href="https://www.farmersweekly.co.za/opinion/blog/letter-from-the-editor/poor-governance-worsens-drought/">https://www.farmersweekly.co.za/opinion/blog/letter-from-the-editor/poor-governance-worsens-drought/</a></p> <p>(2020) The Eastern Cape is the “worst hit” province by the persistent drought that has gripped SA since 2015, human settlements, water, and sanitation minister Lindiwe Sisulu said on Monday.<br/> <a href="https://www.dispatchlive.co.za/news/2020-01-07-eastern-cape-hardest-hit-by-drought/">https://www.dispatchlive.co.za/news/2020-01-07-eastern-cape-hardest-hit-by-drought/</a></p> |                                                                                                                             |
| <b>Demographics</b>                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                             |
| Population                                                                    | 568,688 ( <i>Blue Drop</i> )<br>1,501,702 (2022 Census)<br>1,540,000 (IDP)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2023 <i>Blue Drop Report</i> , p. 58;<br><a href="#">OR Tambo District Municipality - Demographic</a><br>IDP 2023/24, p. 34 |
| Number of households (Census 2022)                                            | 313,536                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <a href="#">OR Tambo District Municipality - Demographic</a>                                                                |
| Number of domestic household service delivery points (2021/2022)              | 137,937                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <a href="#">OR Tambo District Municipality - Services</a>                                                                   |

|                                                                                     |                                                                                                                    |                                                              |                                    |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|------------------------------------|
| (Non-Financial Census of Municipalities)                                            |                                                                                                                    |                                                              |                                    |
| Ratio service delivery points / households                                          | 0.44                                                                                                               |                                                              |                                    |
| Number of non-domestic consumers                                                    | 2,404                                                                                                              | <a href="#">OR Tambo District Municipality - Services</a>    |                                    |
| Males per 100 females                                                               | 89.2                                                                                                               | <a href="#">OR Tambo District Municipality - Demographic</a> |                                    |
| Gender Split                                                                        | 47.2% Male<br>52.8% Female                                                                                         |                                                              |                                    |
| Population growth rate per annum                                                    | 0.92%                                                                                                              | <a href="#">OR Tambo District Municipality - Demographic</a> |                                    |
| Education                                                                           | No Schooling: 12.0%<br>Higher Education: 8.4%                                                                      | <a href="#">OR Tambo District Municipality - Demographic</a> |                                    |
| Financial capacity                                                                  |                                                                                                                    |                                                              |                                    |
| Economically active population (15-64)                                              | 58.8%                                                                                                              | <a href="#">OR Tambo District Municipality - Demographic</a> |                                    |
| Unemployment rate                                                                   | 55.6%                                                                                                              | IDP 2023/24, p. 61                                           |                                    |
| Dependency rate                                                                     | 70.0                                                                                                               | <a href="#">OR Tambo District Municipality - Demographic</a> |                                    |
| Population under 15                                                                 | 35.1%                                                                                                              | <a href="#">OR Tambo District Municipality - Demographic</a> |                                    |
| Universal FBW Allowance                                                             | no                                                                                                                 | IDP 2023/24 p. 147                                           |                                    |
| Number of service delivery points receiving FBW: 2021/22                            | 107,957                                                                                                            | <a href="#">OR Tambo District Municipality - Services</a>    |                                    |
| Percentage of FBW service delivery points                                           | 78.3%                                                                                                              |                                                              |                                    |
| Increase/decrease of FBW 2018/2019 – 2021/2022                                      | 107,957 to 107,957<br>No change                                                                                    | <a href="#">OR Tambo District Municipality - Services</a>    |                                    |
| Is the WSA currently experiencing financial problems? (As at 2022/23 Third Quarter) | Section 138 3 triggers<br>Section 140 2 triggers                                                                   | NT Municipalities Meeting Criteria, item 172                 |                                    |
| Details of the triggers present.                                                    | Failure to make payments as and when due for longer than 90 days that amount to more than R 1 million.             | <input checked="" type="checkbox"/>                          | NT Municipalities Meeting Criteria |
|                                                                                     | Operating at a deficit of more than 5% of the total direct revenue.                                                | <input type="checkbox"/>                                     |                                    |
|                                                                                     | Negative OR outstanding audit.                                                                                     | <input checked="" type="checkbox"/>                          |                                    |
|                                                                                     | Negative cash position for two or more consecutive years.                                                          | <input checked="" type="checkbox"/>                          |                                    |
|                                                                                     | Failure to make any payment to Eskom when due that amounts to more than 2% of the operating expenditure.           | <input type="checkbox"/>                                     |                                    |
|                                                                                     | Failure to make any payment to the Water Board when due that amounts to more than 2% of the operating expenditure. | <input type="checkbox"/>                                     |                                    |

|                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
|-------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------|-------------------------------------|---------------------------------|
|                                                                                                                               | <table><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><input type="checkbox"/></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><input type="checkbox"/></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><input checked="" type="checkbox"/></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><input checked="" type="checkbox"/></td></tr></table> | Failure to make any payment to any other creditor when due that amounts to more than 2% of the operating expenditure. | <input type="checkbox"/>            | Failure to make any payment to Eskom when due that amounts to more than 40% of the operating expenditure. | <input type="checkbox"/>            | Failure to make any payment to the Water Board when due that amounts to more than 40% of the operating expenditure. | <input checked="" type="checkbox"/> | Failure to make any payment to any other creditor when due that amounts to more than 40% of the operating expenditure. | <input checked="" type="checkbox"/> |                                 |
| Failure to make any payment to any other creditor when due that amounts to more than 2% of the operating expenditure.         | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Failure to make any payment to Eskom when due that amounts to more than 40% of the operating expenditure.                     | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Failure to make any payment to the Water Board when due that amounts to more than 40% of the operating expenditure.           | <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Failure to make any payment to any other creditor when due that amounts to more than 40% of the operating expenditure.        | <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Is municipality considered to be in financial distress?                                                                       | yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | NT Municipalities Meeting Criteria, item 172                                                                          |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Is the municipality currently subject to a provincial intervention?                                                           | The municipality is under S139(5)(2) administration, effective from March 2022.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <a href="#">OR Tambo District Municipality - Council &amp; Management</a>                                             |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Water management                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Is the rainfall within the WSA area (July 2022 to January 2023) above or below the average rainfall (464mm) for South Africa? | No information                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | WeatherSA, Historical Rain map                                                                                        |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Water abstraction authorized?                                                                                                 | Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 2023 Blue Drop Report p. 56                                                                                           |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Volume of authorized/(unauthorized) water abstraction?                                                                        | 186,403 kl/d                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 2023 Blue Drop Report p. 56                                                                                           |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| How many water treatment plants are in the WSA’s water services network?                                                      | OR Tambo WSA manages 20 WSSs, 17 pump stations, 788 km of bulk water supply lines, 1,753 km of reticulation pipelines and 209 reservoirs.<br>Total design capacity is 121.9 MI per day.<br>Design capacity available is 119.6 MI per day.<br>Average production: 61.5 MI per day<br>51% of capacity is used<br>2023 Blue Drop critical risk: 1 (Corana)                                                                                                                                                                                                                                                                                                                                                                  | 2023 Blue Drop Report, p.44, p.54, p. 91-93                                                                           |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| How many biophysical water sources does this WSA have access to?                                                              | <table><tr><td>River</td><td><input checked="" type="checkbox"/></td></tr><tr><td>Dam</td><td><input checked="" type="checkbox"/></td></tr><tr><td>Saltwater</td><td><input type="checkbox"/></td></tr><tr><td>Groundwater</td><td><input checked="" type="checkbox"/></td></tr></table>                                                                                                                                                                                                                                                                                                                                                                                                                                 | River                                                                                                                 | <input checked="" type="checkbox"/> | Dam                                                                                                       | <input checked="" type="checkbox"/> | Saltwater                                                                                                           | <input type="checkbox"/>            | Groundwater                                                                                                            | <input checked="" type="checkbox"/> | 2023 Blue Drop Report, p. 91-93 |
| River                                                                                                                         | <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Dam                                                                                                                           | <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Saltwater                                                                                                                     | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Groundwater                                                                                                                   | <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Names of rivers and dams                                                                                                      | Mthakatya River, Mtata River, Gunyeni River, Gadu River, Xurha River, Xilinx River, Hlabathi River, Mntafufu Dam, Mabaleni Dam, Mhlanga River, Manqondo River, Itsitsa River, Mnguzena River, Nzwakazi Dam, Ngqongweni River, Mngaza River, Bulolo Dam, Nqadu Dam, Mtata Dam, Xhokonxa River, Cengcane Dam                                                                                                                                                                                                                                                                                                                                                                                                               | 2023 Blue Drop Report, p. 91-93                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| How many infrastructure water sources does this WSA have?                                                                     | <table><tr><td>Water reclamation</td><td><input type="checkbox"/></td></tr><tr><td>Desalination</td><td><input type="checkbox"/></td></tr><tr><td>From natural source</td><td><input checked="" type="checkbox"/></td></tr></table>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Water reclamation                                                                                                     | <input type="checkbox"/>            | Desalination                                                                                              | <input type="checkbox"/>            | From natural source                                                                                                 | <input checked="" type="checkbox"/> | IDP 2023/24, p. 163                                                                                                    |                                     |                                 |
| Water reclamation                                                                                                             | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Desalination                                                                                                                  | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| From natural source                                                                                                           | <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Political Stability                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                       |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |
| Is there a coalition government?                                                                                              | ANC<br>ANC 18, EFF 2, UDM 2, ATM 1, DA 1 (40% PR Seats)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <a href="#">OR Tambo District Municipality - Council &amp; Management</a>                                             |                                     |                                                                                                           |                                     |                                                                                                                     |                                     |                                                                                                                        |                                     |                                 |

|                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                            |                               |
|------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------|-------------------------------|
| Has there been mayoral instability in the last 5 years?          | Eastern Cape ANC asks provincial government to dissolve OR Tambo District council<br><a href="https://www.news24.com/news24/southafrica/news/eastern-cape-anc-asks-provincial-government-to-dissolve-or-tambo-district-council-20210603">https://www.news24.com/news24/southafrica/news/eastern-cape-anc-asks-provincial-government-to-dissolve-or-tambo-district-council-20210603</a><br><br>Sacking of mayor an indication of 'political instability, chaos' in Eastern Cape municipality<br>- <a href="https://www.news24.com/news24/southafrica/news/sacking-of-mayor-an-indication-of-political-instability-chaos-in-eastern-cape-municipality-20211007#:~:text=The%20mayor%20of%20the%20OR,%2C%20Xolile%20Nkompela%2C%20on%20Thursday.">https://www.news24.com/news24/southafrica/news/sacking-of-mayor-an-indication-of-political-instability-chaos-in-eastern-cape-municipality-20211007#:~:text=The%20mayor%20of%20the%20OR,%2C%20Xolile%20Nkompela%2C%20on%20Thursday.</a> |                                                                                                            |                               |
| MM/CFO Vacancy Snapshot                                          | AGSA Website Based Report 2021/22                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                            | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 8                                                                                                          |                               |
|                                                                  | CFO vacancy at the end of the year?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Yes                                                                                                        |                               |
|                                                                  | Number of months the CFO has been in position.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | N/A                                                                                                        |                               |
| Policy Efforts                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                            |                               |
| Water By-law                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                            |                               |
| Is there a water by-law?                                         | draft by-law only                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                            | By-law                        |
| Citation of by-law                                               | 2022                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                            | 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | yes                                                                                                        |                               |
|                                                                  | Preventing water pollution                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | yes                                                                                                        |                               |
|                                                                  | Anything else?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Appointment of water services providers<br>Registration of water services intermediary<br>Indigent support |                               |

|                                                                                                          |                                                                                                                                                                                                                                                                                                                                                     |                                                 |
|----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| <b>Water Services Development Plan</b>                                                                   |                                                                                                                                                                                                                                                                                                                                                     |                                                 |
| Is there a water services development plan?                                                              | Yes                                                                                                                                                                                                                                                                                                                                                 | IDP 2023/24, p. 162                             |
| The validity duration of the plan (which years)                                                          | May 2018                                                                                                                                                                                                                                                                                                                                            | IDP 2023/24, p. 162                             |
| <b>General Policy Framework</b>                                                                          |                                                                                                                                                                                                                                                                                                                                                     |                                                 |
| Is there an Indigent Policy?                                                                             | yes                                                                                                                                                                                                                                                                                                                                                 | Indigent Policy, 2017                           |
| <b>IDP</b>                                                                                               |                                                                                                                                                                                                                                                                                                                                                     |                                                 |
| Issues                                                                                                   | Shortage of skilled personnel water services<br>Poor maintenance of existing infrastructure<br>Lack of funds for infrastructure investment planning<br>The inability of some contactors to perform work<br>Lack of Water and Sanitation Master plans<br>Huge backlogs<br>Old infrastructure<br>Non-functional schemes especially standalone schemes | IDP 2023/24, p. 72                              |
| <b>Resource Efforts</b>                                                                                  |                                                                                                                                                                                                                                                                                                                                                     |                                                 |
| <b>Financial Resources</b>                                                                               |                                                                                                                                                                                                                                                                                                                                                     |                                                 |
| Budget sufficiency (total budget revenue (excl. capital transfers)/ total budgeted OPEX) x 100           |                                                                                                                                                                                                                                                                                                                                                     | MFMA Section 71 Schedule C 2021 to 2025 Reports |
| Revenue coverage % (Total budgeted revenue (incl. capital transfers) / total budgeted CAPEX+ OPEX) x 100 |                                                                                                                                                                                                                                                                                                                                                     | MFMA Section 71 Schedule C 2021 to 2025 Reports |

|                                                                                                                   |                                                                                   |                                                                                 |
|-------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|---------------------------------------------------------------------------------|
| Revenue collection rate % (actual revenue collected / budgeted revenue) x 100                                     |                                                                                   | MFMA Section 71 Schedule C 2021 to 2025 Reports                                 |
| Capital budget allocated to renewal of existing assets (Amount allocated to renewal / Total capital budget) x 100 |                                                                                   | MFMA Section 71 Schedule C 2021 to 2025 Reports- missing data for this variable |
| Maintenance spending rate % (Total maintenance expenditure / total revenue collected) x 100                       |                                                                                   | MFMA Section 71 Schedule C 2021 to 2025 Reports                                 |
| <b>Infrastructure Resources</b>                                                                                   |                                                                                   |                                                                                 |
| Current infrastructure value                                                                                      | 8,984,116,000                                                                     | Budget, Sheet A9, Item 138, Adjusted Budget 20/21                               |
| <b>Human and Skills Resources</b>                                                                                 |                                                                                   |                                                                                 |
| Total number of staff employed in water treatment                                                                 | 29 (24 supervisory, 5 technical)                                                  | 2023 Blue Drop Report; p. 49, 51-52                                             |
| Supervisor Staff/WTW Ratio                                                                                        | 1.2                                                                               | 2023 Blue Drop Report, p. 299                                                   |
| Technical Staff/WTW Ratio                                                                                         | 0.3                                                                               | 2023 Blue Drop Report, p. 51-52                                                 |
| Staff Shortfall                                                                                                   | 56 Process Controllers<br>0 Supervisor<br>1 Technicians<br>0 Qualified scientists | 2023 Blue Drop Report, p. 49, 51-52                                             |

|                                                                                                |                                                                                                                                                               |                                     |       |                                                              |
|------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------|--------------------------------------------------------------|
| Implementation                                                                                 |                                                                                                                                                               |                                     |       |                                                              |
| Physical Access                                                                                |                                                                                                                                                               |                                     |       |                                                              |
| Physical access to water, number of consumers, and percentage of total consumers. [households] | Communal source +200m                                                                                                                                         | 14,732                              | 10.7% | <a href="#">OR Tambo District Municipality - Services</a>    |
|                                                                                                | Communal source – 200m                                                                                                                                        | 42,057                              | 30.5% |                                                              |
|                                                                                                | Water source in yard                                                                                                                                          | 81,148                              | 58.8% |                                                              |
|                                                                                                | Total                                                                                                                                                         | 137,937                             |       |                                                              |
| Piped water inside dwelling                                                                    | 29.3%                                                                                                                                                         |                                     |       | <a href="#">OR Tambo District Municipality - Demographic</a> |
| Do schools and clinics have access to water on their premises.                                 | Out of 1 209 education facilities, one has inadequate access to water services. Out of 1 629 health facilities, 765 have inadequate access to water services. |                                     |       | WJT Verification                                             |
| Economic Access                                                                                |                                                                                                                                                               |                                     |       |                                                              |
| Economic access to water.                                                                      | Free basic water for all                                                                                                                                      | <input checked="" type="checkbox"/> |       | IDP 2023/24, p 64 and 75                                     |
|                                                                                                | Free basic water for Indigent                                                                                                                                 | <input checked="" type="checkbox"/> |       |                                                              |
|                                                                                                | Cross subsidy                                                                                                                                                 | <input type="checkbox"/>            |       |                                                              |
|                                                                                                | Prepaid                                                                                                                                                       | <input checked="" type="checkbox"/> |       |                                                              |
| Step tariff for households in rand excl VAT. For 2021/22                                       | 0 < 6kl                                                                                                                                                       | 7.82                                |       | Public Notice                                                |
|                                                                                                | 7kl < 10kl                                                                                                                                                    | 8.89                                |       |                                                              |
|                                                                                                | 11kl < 20kl                                                                                                                                                   | 11.55                               |       |                                                              |
|                                                                                                | 21kl < 30kl                                                                                                                                                   | 14.19                               |       |                                                              |
|                                                                                                | 30kl >                                                                                                                                                        | 14.19                               |       |                                                              |
| Categories of water use:                                                                       | Domestic<br>Business<br>Government                                                                                                                            |                                     |       | Public Notice                                                |
| Tariffs for schools. [We inserted the Government Rates]                                        | 0 < 30kl                                                                                                                                                      | 22.06                               |       | Public Notice                                                |
|                                                                                                | 31kl < 40kl                                                                                                                                                   | 29.94                               |       |                                                              |
|                                                                                                | 41kl < 50kl                                                                                                                                                   | 35.07                               |       |                                                              |
|                                                                                                | 51kl >                                                                                                                                                        | 39.56                               |       |                                                              |
| Notes.                                                                                         |                                                                                                                                                               |                                     |       | Tariff Policy 2020/21                                        |
| Tariffs for clinics                                                                            | Refer to the Government rates above on schools                                                                                                                |                                     |       | Tariff Policy 2020/21                                        |
| Notes.                                                                                         | There are also basic water charge rates<br>Domestic: 56.20<br>Business 98.89<br>Government 158.90                                                             |                                     |       |                                                              |
| Adequacy                                                                                       |                                                                                                                                                               |                                     |       |                                                              |
| Number of interruptions in 2024                                                                | A total of 702 -4212 m of pipe replaced by internal team and 19900 through WSIG funded project<br>In total its 24112 m of AC pipes replaced)                  |                                     |       | Section 80 reports and WSIG report, WJT Verification         |
| Media reports on outages:                                                                      | None                                                                                                                                                          |                                     |       |                                                              |
| Quality                                                                                        |                                                                                                                                                               |                                     |       |                                                              |
| What is the WSA’s blue drop score?                                                             | 2023: 56.7%<br>2011: 43.7%                                                                                                                                    |                                     |       | 2023 <i>Blue Drop Report</i> , p. 91-93                      |

|                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   |
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| Blue Drop Score Improved/Deteriorated (2011-2023)                       | Improved                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                   |
| Blue Drop microbiological compliance score                              | 90.3% (5 Excellent WTWs; 13 Unacceptable WTWs)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2023 Blue Drop Report, p. 60      |
| Blue Drop chemical (acute) compliance score                             | 69.9% (14 Excellent WTWs; 6 Unacceptable WTWs)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2023 Blue Drop Report, p. 60-61   |
| Blue Drop chemical (chronic health) compliance score                    | 99.3% (19 Excellent WTWs; 0 Unacceptable WTWs)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2023 Blue Drop Report, p. 60-61   |
| Does the WSA have a contract with the lab to test water samples?        | No information provided                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                   |
| Green Drop Risk Rating                                                  | Medium Risk                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 2023 Green Drop Report, p. 84     |
| Efficiency                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   |
| Blue Drop Water Use Efficiency Score                                    | 130 l/p/d (Excellent)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 2023 Blue Drop Report, p. 58      |
| No Drop Score 2021/22                                                   | 51%                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2023 No Drop Report, p. 67        |
| Amount of non-revenue water in liters and in rands value.               | R31.73 million in water lost which amounts to 17% of water produced or purchased.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | AGSA Web Based Report 2023/4      |
| Main reasons for water losses.                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   |
| Oversight                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   |
| Department of Water and Sanitation                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   |
| Blue Drop actions                                                       | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 2023 Blue Drop Report, p. 93      |
| Green Drop actions                                                      | None                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 2023 Green Drop Report, p. 86     |
| Judicial Oversight                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                   |
| Where any judgements delivered that involved water services delivery?   | yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                   |
| Full citation of judgement.                                             | Mazibuko and Others v City of Johannesburg and Others [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 | Paras 47, 48, 50, 71, 78-102, 142 |

|                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                 |
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|                                                                                 | 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.                                                                                     |                 |
| Full citation of judgement.                                                     | Government of the Republic of South Africa v Grootboom [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.                                                 | Capricorn District Municipality v SANCO [2014] ZASCA 39                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                 |
| Summary of judgement and the impact for future water services delivery.         | <p>Appeal from the High Court, Limpopo Division.</p> <p>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.</p> <p>Judgement: The appeal succeeded.</p> <p>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.)</p> <p>A court may also not determine the rates as which water services are charged as this is in contravention of the separation of powers.</p> | Paras 25 and 21 |
| SAHRC Reports                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                 |
| Where any reports received and investigated on the right to water by the SAHRC? | no                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                 |
| Parliament                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                 |
|                                                                                 | no                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                 |

|                                        |                                                                                                                                                                                                                                                                        |  |
|----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| Other Oversight Institutions           |                                                                                                                                                                                                                                                                        |  |
| Details of any oversight action taken. | The Public Protector                                                                                                                                                                                                                                                   |  |
| Report name                            | Report of the Public Protector: Systemic investigation into allegations of inadequate and/or lack of provision of essential services and basic infrastructure by various organs of state in certain villages within the province of Eastern Cape. Report 25 of 2023/24 |  |
| Details of complaint                   | The complaints were lodged by Ms Eunice Tsese (Ms Tsese) and sixty-five (65) other members of the public, in terms of the Public Protector Act (the Complainants).                                                                                                     |  |
|                                        | Nothing specific for this WSA that involve water services delivery.                                                                                                                                                                                                    |  |

## 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 2022
- 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>