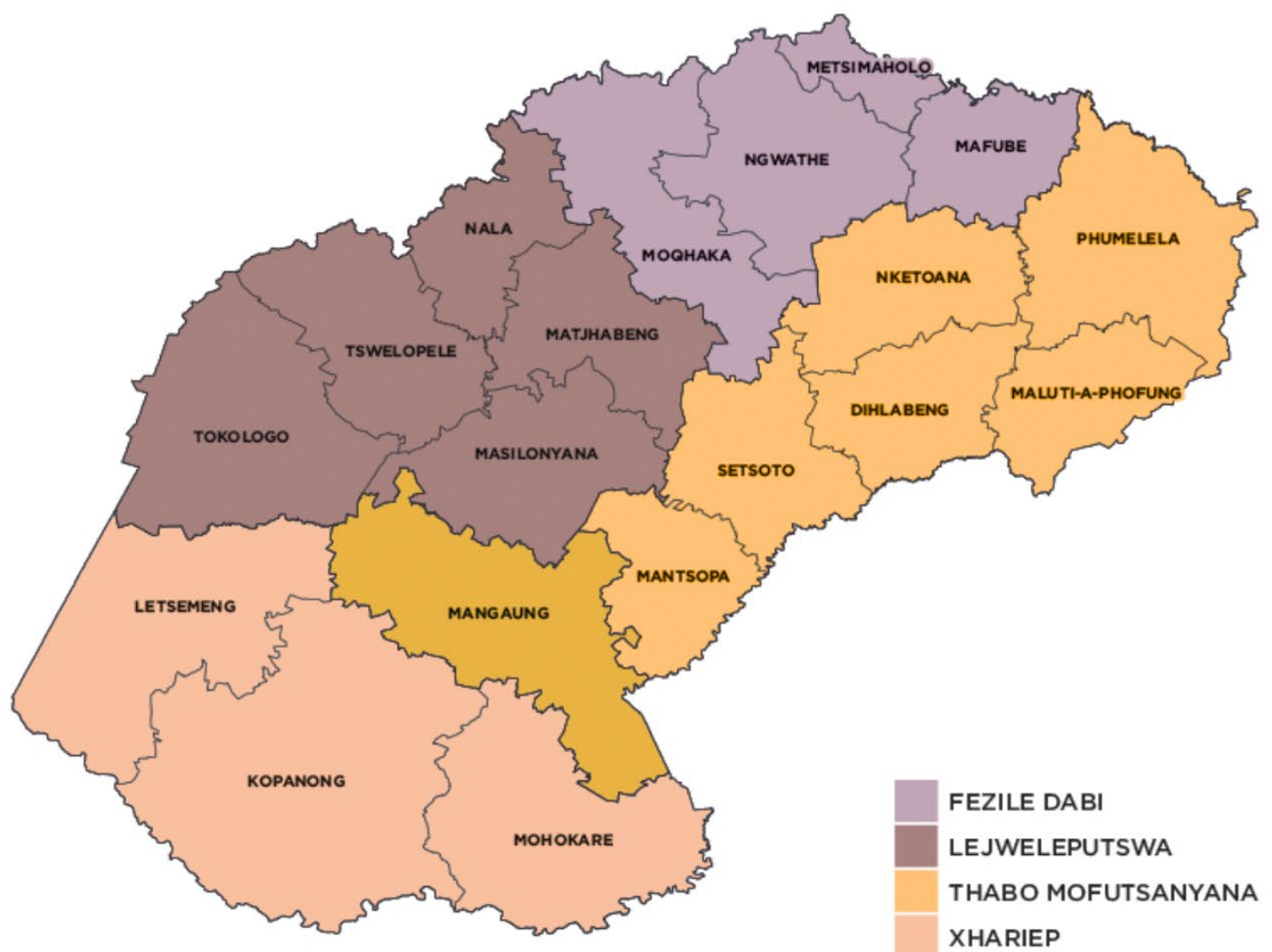


WATER RIGHTS TRACKER

WATER SERVICES AUTHORITY

MANGAUNG METRO- POLITAN MUNICIPALITY



OCTOBER 2026

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Map

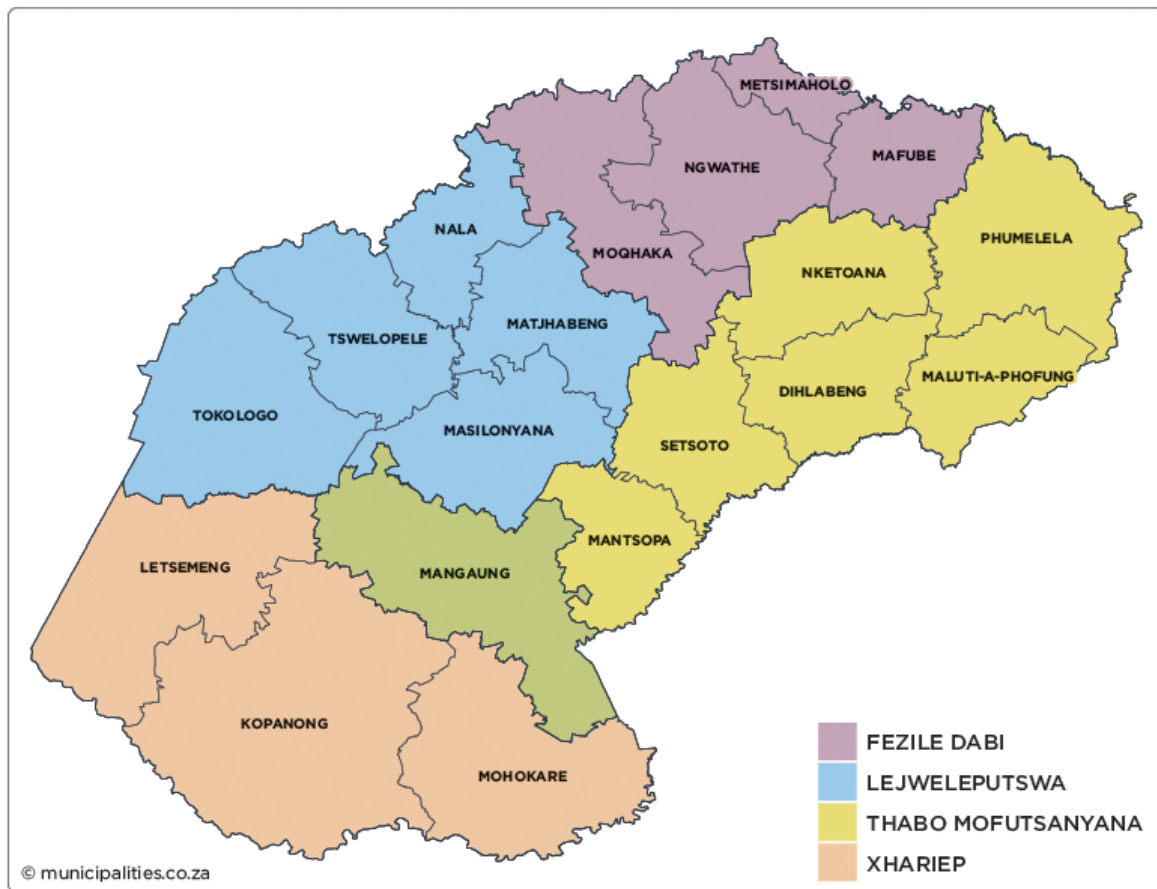


Figure 1: Geographical location of the Mangaung Metropolitan Municipality (source Municipalities of South Africa, <https://municipalities.co.za/provinces/view/2/free-state>).

The Mangaung Metropolitan Municipality is situated in the Free State Province.

Assessment: Progressive realization of the right to water in Mangaung Metropolitan Municipality

RIGHTS HOLDERS		
Demographics	Current Population: Ranges from 811,431 (2022 Census) to 1,041,632 (<i>Blue Drop</i>) t Population growth rate: 0.44% Sex Ratio: Moderate female majority Dependency: 25.1% under 15; dependency ratio 46.7	
Unemployment	24.0%	
KEY IMPLEMENTATION INDICATORS		
Availability	Rivers, groundwater, dams 26% of capacity used	
Physical access	Communal source +200m	0.0%
	Communal source – 200m	4.0%
	Water source in yard	96.0%
	Piped water in house	47.3%
	Service delivery point/household coverage ratio	1.24
Economic Access	Tariff variation: No information Tariff structure: Increasing block tariff (4 blocks, R0-R17) FBW: Indigent only Indigency: 17.6% of service delivery points, increasing trend	
Adequacy	Not mentioned	
Quality	Microbiological compliance	96.6%
	Chemical (acute) compliance	56.3%
	Chemical (chronic) compliance	100.0%
Efficiency	WUE Score: 203 l/p/d (Average) Non-revenue water: 48%	
REASONABLE MEASURES		
Policy Efforts	By-law, Indigent Policy and Register, WSDP (outdated)	
Financial Resources (2024/25)	Budget sufficiency: 104% Revenue coverage: 112% Renewal spending: 27% Maintenance spending rate: 6%	
Human Resources	<i>Blue Drop</i> shortfall: 11 Process Controllers, 0 Supervisors, 1 Technician, 1 Qualified scientist	
SYSTEMIC DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE		
Leadership issues	Not mentioned	
Water planning issues	Unreliable statistics	
Funding model	Not mentioned	

Infrastructure issues	-Ageing water infrastructure -Repairs and maintenance of existing infrastructure -Construction of bulky infrastructure
Electricity issues	-High electricity losses due to ageing infrastructure -Illegal connections -Tempering with meters
Ecological drivers	-Removing alien plants
Consumer issues	-Water resource sustainability: ensuring a reliable and quality supply of water to households and consumers
Water services intermediaries	-illegal water connections
Third-party interference	-Not mentioned
Intergovernmental coordination	Under national/provincial administration
Scale	9,886km ² 2 WTWs, 17 pump stations, 854 km of bulk water supply lines, 2,861 km of reticulation pipelines and 40 reservoirs
UNIQUE DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE	
Overlapping governance structures	51 municipal wards, no information on traditional authorities
Low literacy and education levels	No Schooling: 3.0%, tertiary ed.: 13.3%
Infrastructure backlogs	-Maintenance backlogs in respect of service delivery infrastructure and utilities. - The city water backlogs are 15 215.
Limited yellow fleet	-Inadequate fleet.
High vacancy rate	MM in position 20 months; CFO in position 13 months
Legal non-compliance	Under national/provincial administration

*Indicators highlighted in red flag potential human rights concerns

Narrative

RIGHTS HOLDERS

Population estimates for the Mangaung Metropolitan Municipality range from 811 431 (2022 Census) to 1 041 632 (Blue Drop). The population growth rate of 0.44% is lower than the national average of 1.3%. There is a moderate female majority and 25.1% of the population are under the age of 15. The dependency ratio of 46.7 is lower than the reported national 2024 average of 48.4 and lower than the global average of 58.4.¹ There is a moderate level of unemployment (broad definition used) in this municipality of 24%.

KEY IMPLEMENTATION INDICATORS

The Mangaung Metropolitan Municipality is authorised to provide water services and can abstract water from the Orange River, Welbedacht Dam, Caledon River, Orange River, Modder Dam, Groothoek Dam and groundwater.

In terms of physical access, 96% of consumers reportedly have a water connection in their yard, and 47.3% enjoy water piped into their dwellings. About 4% of the population has access to a communal source within 200m of their dwellings, and 0% rely on communal sources further than 200m away. The service delivery point/household coverage ratio is 1.24 meaning that the current service delivery points cover 124% of the households counted in the 2022 Census.

The Mangaung Metropolitan Municipality provides universal Free Basic Water Allowance, although in terms of law a municipality is not required to have one. About 17.6% (moderate) 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 R0.00, most expensive is R17.00). The municipality's tariff structure categories are unknown.

No reliable data could be found about the number of water services interruptions experienced by the community. There is some concern about water quality, with the Mangaung Metropolitan Municipality reporting microbiological compliance at 96.6% and chemical acute compliance at 56.3% and chronic at 100%.

Water use efficiency is average. The *Blue Drop* score of >203 l/p/d is average. According to the 2021/22 Auditor-General report, 48% of all water produced is non-revenue water, which is above the national prescribed 35%.

REASONABLE MEASURES

The Mangaung Metropolitan Municipality has a valid indigent policy, water services development plan and water services by law in place. 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 (112%) 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 was between 18% and 27% and maintenance expenditure was between 5% to 7%. The revenue collection rate has fluctuated between 87% and 98% according to MFMA Schedule C datasets.

There are 4 municipal officials employed in water treatment. According to the latest *Blue Drop* report, there is a staff shortfall of 11 process controllers, 1 technician and 1 qualified scientist in the department responsible for water treatment.

SYSTEMIC DRIVERS OF RIGHTS NON-COMPLIANCE

The key systemic drivers of rights non-compliance in the Mangaung Metropolitan Municipality are:

- **Leadership issues:** None.
- **Water planning issues:** Unreliable statistics.
- **Funding model:** None.
- **Electricity issues:** None that have an impact on water service delivery.
- **Infrastructure issues:** The municipality requires new infrastructure and the rehabilitation and upgrading of existing infrastructure.
- **Ecological drivers:** None.
- **Consumer issues:** Illegal connections.
- **Intermediaries:** None.
- **Third-party interference:** None.
- **Scale:** Water services in the Mangaung Metropolitan Municipality are spread out over 9 886 km².

OVERSIGHT

1. Department of Water and Sanitation took Green Drop and Blue Drop action (See, Table: Oversight Department of Water and Sanitation, for more details).
2. SAHRC conducted monitoring activities. (See, Table: Oversight SAHRC Reports, for more details).
3. National Parliament took oversight action. (See Table: Oversight Parliament, for more details).

Expanded Table

Indicator	Measurement	Sources
Name of the WSA	Mangaung Metropolitan Municipality	
Geographical information about the WSA.	This Metropolitan Municipality is situated in the Free State Province.	Mangaung Metropolitan Municipality - Overview
Spatial extent	9,886km ²	Mangaung Metropolitan Municipality - Overview
Municipal Wards	51	IDP 2024/2025, p. 129
Traditional Authorities	No easily available information	IDP 2024/2025
Is the WSA authorized to provide water services?	yes	IDP 2024/2025, p. 25
Is the WSA currently providing water services?	both water treatment and tap water	IDP 2024/2025, p. 25, 76
Method of service provision	Self	IDP 2024/2025, p. 76
Context indicators		
Details of any water related stresses experienced within the past five years.	Infrastructure maintenance needs: The infrastructure maintenance needs of municipalities in the Free State were flagged as early as 2012. Pollution: Pollution of freshwater sources from dysfunctional wastewater treatment plants Floods: Residents warned about rapid floods in Free State https://www.bloemfonteincourant.co.za/residents-warned-about-rapid-floods-in-free-state/ Flooding halts traffic in Free State https://www.freightnews.co.za/article/flooding-halts-traffic-free-state Heavy rain devastates grain lands in the western Free State. It is too early to determine the extent of the damage caused to grain plantings following extremely high rainfall in parts of the western Free State during the past two weeks, but it can be assumed that the damage is extensive. https://www.farmersweekly.co.za/agri-news/south-africa/heavy-rain-devastates-grain-lands-in-the-western-free-state/ Parys residents in the Free State pick up the pieces after Vaal River bursts its banks	SAHRC, 2014 Report, p. 13 SAHRC, 2014 Report, p. 59

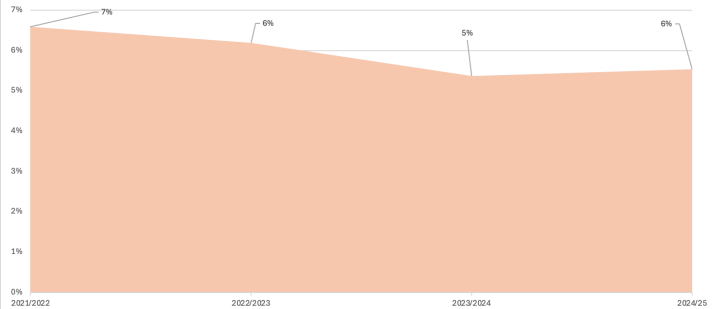
	https://www.dailymaverick.co.za/article/2023-02-23-parys-residents-in-the-free-state-pick-up-the-pieces-after-vaal-river-bursts-its-banks/ Droughts: Severe drought in eastern Free State strains farmers, residents. “The municipality’s water supply is also under pressure because of the very low level of water flow at the Meiringskloof Dam due to the lack of rain.” Severe drought in the eastern Free State has raised alarm for both farmers and residents. Dihlabeng Municipality is among the areas hardest hit by the dry spell and severe heat. https://www.bloemfonteincourant.co.za/severe-drought-in-eastern-free-state-strains-farmers-residents/ Free State Agriculture (FSA) has welcomed the news that the province has been declared a drought disaster area. https://www.farmersweekly.co.za/agri-news/south-africa/free-state-declared-drought-disaster-area/	
Demographics		
Population	1,041,632(<i>Blue Drop</i>) 811,431 (2022 Census) 811,431 (IDP)	2023 <i>Blue Drop Report</i> , p. 114 Mangaung Metropolitan Municipality - Demographic IDP 2024/2025, p. 18
Number of households (Census 2022)	229,426	Mangaung Metropolitan Municipality - Demographic
Number of domestic household service delivery points (2021/2022) (<i>Non-Financial Census of Municipalities</i>)	285,395	Mangaung Metropolitan Municipality - Services
Ratio service delivery points / households	1.24	
Number of non-domestic consumers Affects overall availability of water – big industrial users.	3,699	Mangaung Metropolitan Municipality - Services
Males per 100 females	90.6	Mangaung Metropolitan Municipality - Demographic
Gender Split	47.5% Male 52.5% Female	
Population growth rate per annum	0.44%	Mangaung Metropolitan

		Municipality - Demographic	
Education	No Schooling: 3.0% Higher Education: 13.3%	Mangaung Metropolitan Municipality - Demographic	
Financial capacity			
Economically active population (15-64)	68.2%	Mangaung Metropolitan Municipality - Demographic	
Unemployment rate	24%	IDP 2024/2025, p. 94	
Dependency ratio	46.7	Mangaung Metropolitan Municipality - Demographic	
Population under 15	25.1%		
Universal FBW Allowance	No	IDP 2024/2025, p. 103	
Number of service delivery points receiving FBW: 2021/22	50,217	Mangaung Metropolitan Municipality - Services	
Percentage of FBW service delivery points	17.6%		
Increase/decrease of FBW 2018/2019 – 2021/2022	32,105 to 50,217 Increase	Mangaung Metropolitan Municipality - Services	
Is the WSA currently experiencing financial problems? (As at 2023/24 Third Quarter)	s 138: 2 triggers		NT Municipalities Meeting Criteria,
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.	☒	NT Municipalities Meeting Criteria [the headings of the column in which you see TRUE]
	Operating at a deficit of more than 5% of the total direct revenue.	☐	
	Negative OR outstanding audit.	☒	
	Negative cash position for two or more consecutive years.	☐	
	Failure to make any payment to Eskom when due that amounts to more than 2% of the operating expenditure.	☐	
	Failure to make any payment to the Water Board when due that amounts to more than 2% of the operating expenditure.	☒	
	Failure to make any payment to any other creditor when due that amounts to more than 2% of the operating expenditure.	☐	
	Failure to make any payment to Eskom when due that amounts to more than 40% of the operating expenditure.	☐	
	Failure to make any payment to the Water Board when due that amounts to more than 40% of the operating expenditure.	☐	
	Failure to make any payment to any other creditor when due that amounts to more than 40% of the operating expenditure.	☐	
	Is municipality considered to be in financial distress?	yes	

		Meeting Criteria,								
Is the municipality currently subject to a provincial intervention?	The municipality is under S139(7) (National intervention) administration, effective from April 2022.	Mangaung Metropolitan Municipality - Council & Management								
Water management										
Is the rainfall within the WSA area (July 2022 to January 2023) above or below the average rainfall (464mm) for South Africa?	Above	WeatherSA, Historical Rain map								
Water abstraction authorized?	Yes	2023 <i>Blue Drop Report</i> , p. 112								
Volume of authorized/(unauthorized) water abstraction?	41,353 kl/d	2023 <i>Blue Drop Report</i> , p. 112								
How many water treatment plants are in the WSA’s water services network?	Mangaung WSA manages 2 WTWs, 17 pump stations, 854 km of bulk water supply lines, 2,861 km of reticulation pipelines and 40 reservoirs. Total design capacity is 138.8 MI per day. 138.8 MI of the capacity is available. Average production: 35.7 MI per day 26% of capacity is used 2023 <i>Blue Drop</i> critical risk: 2 (Soutpan Krugersdrift Dam, Vanstadensrus)	2023 <i>Blue Drop Report</i> , p. 99, 111, 134								
How many biophysical water sources does this WSA have access to?	<table><tr><td>River</td><td>☒</td></tr><tr><td>Dam</td><td>☒</td></tr><tr><td>Saltwater</td><td>☐</td></tr><tr><td>Groundwater</td><td>☒</td></tr></table>	River	☒	Dam	☒	Saltwater	☐	Groundwater	☒	2023 <i>Blue Drop Report</i> , p. 134
River	☒									
Dam	☒									
Saltwater	☐									
Groundwater	☒									
Names of rivers and dams	Orange River, Welbedacht Dam, Caledon River, Orange River, Modder Dam, Groothoek Dam	2023 <i>Blue Drop Report</i> , p.134								
How many infrastructure water sources does this WSA have?	<table><tr><td>Water reclamation</td><td>☐</td></tr><tr><td>Desalination</td><td>☐</td></tr><tr><td>From natural source</td><td>☒</td></tr></table>	Water reclamation	☐	Desalination	☐	From natural source	☒	IDP 2024/2025, p. 77, 80		
Water reclamation	☐									
Desalination	☐									
From natural source	☒									
Political Stability										
Is there a coalition government?	ANC ANC 51, DA 26, EFF 12, VF PLUS 5, AASD 2, PA 2, ACDP 1, AIC 1, ATM 1	Mangaung Metropolitan Municipality - Council & Management								
Has there been mayoral instability in the last 5 years?	Yes Mangaung metro deputy mayor and councillors swiftly axed https://www.dailymaverick.co.za/article/2023-03-31-mangaung-metro-deputy-mayor-and-councillors-swiftly-axed/ The collapse of Mangaung metro continues to affect the provision of basic services for residents and ratepayers. The only metro in the Free State has been under administration									

	for some time, suffering from leadership, management, administration and financial woes. https://www.enca.com/top-stories/mangaung-metro-still-dire-straits		
MM/CFO Vacancy Snapshot	AGSA Website Based Report 2024/25		Municipality: Mangaung Metro District: Mangaung 2024-25 Consolidated report on local government audit outcomes AGSA
	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.	20	
	CFO vacancy at the end of the year?	No	
	Number of months the CFO has been in position.	13	
Policy Efforts			
Water By-law			
Is there a water by-law?	yes		
Citation of by-law	PN 57 in PG 39 of 19 July 2019		
Mark with "yes" if the by-law makes provision for the following:	Matters incidental to providing water services to residents, including communal sources	yes	
	Protecting water supply systems.		
	Prohibiting wasting water	yes	
	Prohibiting illegal connections		
	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?	Temporary supply from hydrant Water restrictions	
Water Services Development Plan			
Is there a water services development plan?	yes		IDP 2024/2025, p. 77
The validity duration of the plan (which years)	Currently under review.		IDP 2024/2025, p. 77
General Policy Framework			
Is there an Indigent Policy?	yes		Policy on Indigent customers dated 1 July 2024

IDP												
Issues	- Infrastructure to be upgraded so that backlogs need to be addressed and ensure future demands - Vandalism to boreholes is a challenge - There is a supply deficit of more than 60 MI/day - as a result, the municipality has been under water restriction since 2014 - Aging infrastructure has not been maintained over a long period due to prioritization of new infrastructure over maintenance of existing infrastructure. - Water losses being experienced are above the average of 15%-30%	IDP 2024/2025, p. 77-79										
Resource Efforts												
Financial Resources												
Budget sufficiency (total budget revenue (excl. capital transfers)/ total budgeted OPEX) x 100	<table><thead><tr><th>Period</th><th>Budget Sufficiency (%)</th></tr></thead><tbody><tr><td>2021/2022</td><td>107%</td></tr><tr><td>2022/2023</td><td>105%</td></tr><tr><td>2023/2024</td><td>107%</td></tr><tr><td>2024/25</td><td>104%</td></tr></tbody></table>	Period	Budget Sufficiency (%)	2021/2022	107%	2022/2023	105%	2023/2024	107%	2024/25	104%	MFMA Section 71, Schedule C datasets
Period	Budget Sufficiency (%)											
2021/2022	107%											
2022/2023	105%											
2023/2024	107%											
2024/25	104%											
Revenue coverage % (Total budgeted revenue (incl. capital transfers) / total budgeted CAPEX+ OPEX) x 100	<table><thead><tr><th>Period</th><th>Revenue Coverage %</th></tr></thead><tbody><tr><td>2021/2022</td><td>116%</td></tr><tr><td>2022/2023</td><td>119%</td></tr><tr><td>2023/2024</td><td>115%</td></tr><tr><td>2024/25</td><td>112%</td></tr></tbody></table>	Period	Revenue Coverage %	2021/2022	116%	2022/2023	119%	2023/2024	115%	2024/25	112%	MFMA Section 71, Schedule C datasets
Period	Revenue Coverage %											
2021/2022	116%											
2022/2023	119%											
2023/2024	115%											
2024/25	112%											
Revenue collection rate % (actual revenue collected / budgeted revenue) x 100	<table><thead><tr><th>Period</th><th>Revenue Collection Rate %</th></tr></thead><tbody><tr><td>2021/2022</td><td>87%</td></tr><tr><td>2022/2023</td><td>92%</td></tr><tr><td>2023/2024</td><td>98%</td></tr><tr><td>2024/25</td><td>91%</td></tr></tbody></table>	Period	Revenue Collection Rate %	2021/2022	87%	2022/2023	92%	2023/2024	98%	2024/25	91%	MFMA Section 71, Schedule C datasets
Period	Revenue Collection Rate %											
2021/2022	87%											
2022/2023	92%											
2023/2024	98%											
2024/25	91%											
Capital budget allocated to renewal of existing assets (Amount allocated to renewal / Total capital budget) x 100	<table><thead><tr><th>Period</th><th>Capital Budget Allocated to Renewal (%)</th></tr></thead><tbody><tr><td>2021/2022</td><td>18%</td></tr><tr><td>2022/2023</td><td>18%</td></tr><tr><td>2023/2024</td><td>26%</td></tr><tr><td>2024/25</td><td>27%</td></tr></tbody></table>	Period	Capital Budget Allocated to Renewal (%)	2021/2022	18%	2022/2023	18%	2023/2024	26%	2024/25	27%	MFMA Section 71, Schedule C datasets
Period	Capital Budget Allocated to Renewal (%)											
2021/2022	18%											
2022/2023	18%											
2023/2024	26%											
2024/25	27%											

Maintenance spending rate % (Total maintenance expenditure / total revenue collected) x 100				MFMA Section 71, Schedule C datasets
Infrastructure Resources				
Current infrastructure value	R1,304,529,200			2023 <i>Blue Drop Report</i> , p. 121-122
Human and Skills Resources				
Total number of staff employed in water treatment	4 (1 supervisory, 3 technical)			<i>Blue Drop Report</i> , p. 105,108
Supervisor Staff/WTW Ratio	3.0			<i>Blue Drop Report</i> , p. 105
Technical Staff/WTW Ratio	0.4			<i>Blue Drop Report</i> , p. 108
Staff Shortfall	11 Process Controllers 0 Supervisors 1 Technician 1 Qualified scientist			<i>Blue Drop Report</i> , p. 105, 108
Implementation				
Physical Access				
Physical access to water, number of consumers, and percentage of total consumers. [households]	Communal source +200m	0	0%	Mangaung Metropolitan Municipality - Services
	Communal source – 200m	11,415	4.0%	
	Water source in yard	273,980	96.0%	
	Total	285,395		
Piped water inside dwelling	47.3%			Mangaung Metropolitan Municipality - Demographic
Infrastructure backlog	-Maintenance backlogs in respect of service delivery infrastructure and utilities. - The city water backlogs are 15 215.			
Economic Access				
Economic access to water.	Free basic water for all	☒		IDP 2023/24, p 428, Tariff Policy and Indigent Policy and Water Service By Law
	Free basic water for Indigent	☒		
	Cross subsidy	☒		
	Prepaid	☒		
Step tariff for households in rand excl VAT. For 2021/22	0 < 6kl	Rnil		General Tariffs 2021/22- 2023/24
	7kl < 30kl	R 15		
	31kl < 50kl	R 15		

	50kl>	R 17	
Categories of water use:			
Tariffs for schools.	Only one tariff structure for all consumers.		General Tariffs 2021/22-2023/24
Tariffs for clinics	Same		General Tariffs 2021/22-2023/24
Adequacy			
Number of interruptions in 2024	No data		
Media reports on outages:			
Quality			
What is the WSA's blue drop score?	2023: 62.8% 2011: 0.0%		2023 <i>Blue Drop Report</i> , p. 134
Blue Drop Score Improved/Deteriorated (2011-2023)	Improved		
Blue Drop microbiological compliance score	96.6% (2 Excellent WTWs; 4 Unacceptable WTWs)		2023 <i>Blue Drop Report</i> , p. 116-117
Blue Drop chemical (acute) compliance score	56.3% (1 Excellent WTW; 6 Unacceptable WTWs)		2023 <i>Blue Drop Report</i> , p. 117
Blue Drop chemical (chronic health) compliance score	100.0% (7 Excellent WTWs; 0 Unacceptable WTWs)		2023 <i>Blue Drop Report</i> , p. 117
Does the WSA have a contract with the lab to test water samples?	Yes		
<i>Green Drop Risk Rating</i>	High Risk		2025 <i>Green Drop Report</i> , p. 94
Efficiency			
Blue Drop Water Use Efficiency Score	203 l/p/d (Average)		2023 <i>Blue Drop Report</i> , p. 114
No Drop Score 2021/22	70%		2023 <i>No Drop Report</i> , p. 85
Amount of non-revenue water in liters and in rands value.	R495,55 million in water losses 48% of all water flowing through municipal pipelines		WEB Based Report 2024/25
Main reasons for water losses.	-Water leakages -illegal connections -Tampering with meters -Ageing infrastructure		IDP 2024/25, p 48
Oversight			
Department of Water and Sanitation			
<i>Blue Drop</i> actions	The Regulator notes the dire state of management and drinking water quality in the Soutpan and Vanstadensrus water supply systems. The WSI is placed under regulatory surveillance and the Municipal Manager is required to		2023 <i>Blue Drop Report</i> , p. 134

	submit a detailed corrective action plan within 20 days of publishing of this report. The plan must map the activities, responsible persons, timelines, and expected improvement as outlined in the Regulatory Comment.	
<i>Green Drop actions</i>	The Regulator expresses serious concern regarding the critically poor state of wastewater services at Dewetsdorp and Thaba Nchu of the WSI's systems, which continue to perform well below acceptable standards. The systems remain in a critical state, with stagnant, poor scores. The continued under performance of these systems poses a potential threat to receiving water resources and public health. It is thus required that the WSI submit a detailed corrective action plan (CAP) within 60 days of publishing of this report. The CAP must address concerns raised in the Regulatory Comments and needs to include detailed remedial actions, assigned responsible officials, clear implementation time frames, and measurable performance indicators. The submitted plan will undergo review and evaluation against the issues raised in this report and will be tabled for deliberation by the National Water Services Regulation Committee.	2025 <i>Green Drop Report</i> , p. 99
Judicial Oversight		
Where any judgments delivered that involved water services delivery?	yes	
Full citation of judgment.	Mazibuko and Others v City of Johannesburg and Others [2009] ZACC 28	
Summary of judgment and the impact for future water services delivery.	The state has a duty not to interfere with the enjoyment of socio-economic rights. The state does not have a duty to immediately realise the right to water for everyone; instead, the state must take reasonable legislative and other measures to progressively realise the right within available state resources. It is not the place of the court to determine or quantify what is sufficient water. To assess the reasonableness of the legislative and policy measures used: State must be able to show what information it considered and the process it followed to determine its policy. If the process followed is flawed or the information gathered is inadequate or incomplete, appropriate relief may be sought. The Court's evaluation of the City's Free Basic Water Policy: (1) it has different levels of water provision; (2) the city uses pre-paid and credit meters; (3) provision to register as an indigent; (4) it is reasonable to afford basic water to all, rich and poor; (5) it is acceptable to afford basic water on a per household basis and not per person; (6) water policy was revised regularly; (7) communities too have duties, one such duty is to apply to be registered as an indigent if they wish to claim these benefits. Moving from a deemed consumption system to a pre-paid metered system with a free allocation of basic water is not a retrogressive step. Discontinuation of water for not reloading the meter with credits is not a	Paras 47, 48, 50, 71, 78-102, 142

	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 judgment.	Government of the Republic of South Africa v Grootboom [2000] ZACC 19	
Summary of judgment 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 judgment.	Nokotyana and Others v Ekurhuleni Metropolitan Municipality and Others [2009] ZACC 33	
Summary of judgment and the impact for future water services delivery.	Every municipality, as part of its IDP process, must take all reasonable and necessary steps within the framework of national and provincial housing legislation and policy to ensure that the inhabitants of its area of jurisdiction have access to adequate housing on a progressive basis; that conditions not conducive to the health and safety of the inhabitants of its area of jurisdiction are prevented or removed; and that services in respect of water, sanitation, electricity, roads, storm water drainage and transport are provided in a manner which is economically efficient. Section 3 of the Water Services Act provides that everyone has a right of access to basic water supply and basic sanitation. Every WSA is prompted to take reasonable measures to realise these rights. The section furthermore requires every WSA to provide for measures to realise these rights in its water services development plan.	
Full citation of judgment.	Thubakgale and Others v Ekurhuleni Metropolitan Municipality and Others [2021] ZACC 45	
Summary of judgment and the impact for future water services delivery.	Minority, dissenting: This case explores a very wide variety of remedies where socio-economic rights are violated. What effective remedy can be granted by courts where the litigants showed that the state failed to realise the right to access to housing and has conducted itself in a manner that points to a refusal to realise this right. Appropriateness of the relief envisages something that is suitable and capable of addressing the exigencies of a situation. A structural interdict, declaratory relief and contempt of court orders have all been unsuccessful. The court shows that contractual, statutory and delictual remedies are also unavailable. The court then considered constitutional damages to rectify “diffuse and systematic pattern of rights violations” or “systematic, pervasive and enduring infringements of constitutional rights”. This may only be used if it is the most effective relief.	Paras 2, 50, 60, 63, 64, 65, 70, 72, 80, 157

	Budgetary and fiscal pressures of the municipality must be considered when awarding constitutional damages. Paras 100-116 quantum of damages. A once-off token of R 10 000 per applicant was awarded. Applicants have the right to approach the court again within one year from the granting of the order to reassess the award, should the municipality continue to procrastinate in its constitutional obligations. The municipality is also subject to a supervisory order where it has to report back to the court. Majority: The approach adopted in the first judgement fails to differentiate between socio-economic rights and other rights. A breach of socio-economic rights arising from non-fulfilment or non-enjoyment of those rights does not entitle parties to an injury or damage that warrants compensation to be ordered. Appeal was dismissed. For water services delivery: Courts are increasingly impatient and becoming intolerant of service delivery failures. This shows the variety of remedies that could be available to the community where the right to water is infringed.	
Full citation of judgment.	South African Human Rights Commission v Msunduzi Local Municipality and Others [2021] ZAKZPHC 35	
Summary of judgment and the impact for future water services delivery.	Budgetary and procurement restraints cannot be a legitimate reason, where a failure to meet service delivery obligations persisted for 15 years. Court ordered that the municipality must file a plan to remedy the service delivery plan.	
Full citation	Loizou v Matjhabeng Local Municipality and Another (5046/2023) [2024] ZAFSHC 234 (25 April 2024)	
Summary of the judgment and the impact for future water services delivery	It is common cause that the respondents did not comply with the legislation as well their Municipalities Credit Control and Debt Collection Policy. The fact that the respondents denied the applicant her constitutional right to access water is an unfair administrative action. It is an indication of the respondent's mala fides.	para 10
Full citation	Bethulie Water Forum and Another v Bloemwater and Others (2174/2021) [2021] ZAFSHC 307 (3 December 2021)	
Summary of the judgment and the impact for future water services delivery	In order to limit the bulk water supply by reason of non-payment, Bloemwater must first issue the prescribed notice as envisaged in s4(5) of the WSA to the Municipality, the Free State Provincial Government and the Minister. Save for giving the prescribed notices to the said institutions, the WSA requires nothing more from Bloemwater before it can limit the bulk water supply. While s29 of the WSA provides that the primary activity of a water board is to provide water services to other water services institutions, this does not require in case of non-payment of the amounts due to it, before limiting bulk water	para 18 and 20

	supply, that Bloemwater should seek the intervention of the Minister.	
SAHRC Reports		
Where any reports received and investigated on the right to water by the SAHRC?	yes	
Reference details of the report.	Letter to MEC for Education, Free State: Mr Tate Makgoe: Water and Sanitation Infrastructure in Schools for 2021 Academic Year	SAHRC, 2021 Letter to Free State Education MEC
Summary of the report and the impact for future water services delivery.	SAHRC finding that 10 schools in the Free State were without water (and 5 had no form of sanitation) MEC was to provide an action plan with clear and urgent timelines for: • Provision of sufficient water and sanitation facilities to the relevant schools that meet the minimum requirements set out in the Minimum and Uniform Norms and Standards for Public School Infrastructure • Upgrading of water and sanitation facilities where necessary in all other schools in the Province in order to meet the minimum standards outlined in the Norms and Standards • Closing and securing of existent unsafe sanitation structures, including the closing and securing of pit latrines and other sanitation facilities no longer in use • to the extent necessary, the provision of temporary measures to ensure access to sufficient, acceptable water and sanitation pending the finalisation of the State's plan to provide longer term water and sanitation infrastructure in all schools compliant with the Norms and Standards and its Constitutional obligations. The action plan had to make provision for: • Details of the relevant implementing departments and agents • Costed work plans with targets in relation to each school that includes details of the nature and extent of the installations/ upgrades required for each school and timelines for completion of the identified targets. • Timelines should take into account the urgent and pressing need to provide access to water and adequate sanitation to all schools, and where necessary a need to put in place temporary measures referred to in paragraph • Details regarding necessary budgetary allocations / re-allocations to be made available for the	

	installation and upgrades of necessary facilities in accordance with the plan. • Details of a maintenance plan for the upkeep of water and sanitation facilities.	
Reference details of the report.	Report on the complaint between Sibuyile Park Informal Settlement Residents v Mangaung Metropolitan Municipality	
Summary of the report and the impact for future water services delivery.	The Complainants were the residents of Sibuyile Park, an informal settlement situated in Mangaung, Bloemfontein, an area falling under the jurisdiction of Mangaung Metropolitan Municipality, Free State Province ("Respondent"). Complainants alleged that the Respondent failed in its constitutional and statutory obligations (i) to make an application to the provincial government requesting the area to be proclaimed a township establishment; (ii) To provide basic services such as sufficient water, sanitation and refuse removal; (iii) To provide inhabitants of the area with access to adequate housing; (iv) To make an application to the Provincial Government for the upgrading of the area on a priority basis in terms of the National Housing Code. Complaints were upheld. SAHRC Recommendations: • The Respondent is directed to realise the Complainants rights to dignity, environment, housing, water and access to information within its available resources by taking positive steps to ensure that priority is given to the basic needs of the community of the informal settlement and that each member of the community has access to basic municipal services pending the upgrading of Sibuyile Park. ○ In this respect, the Respondent is directed to: ▪ furnish the Commission with a phased Plan on how it intends to progressively realise this objective. The Plan should be submitted to the Commission within 6 (six) months from date of the finding; thereafter, the Respondent is directed to ▪ furnish the Commission with a progress report at least every six (6) months in respect of the progressive realisation of the right to water and	

	sanitation services in all informal settlements under its jurisdiction. ▪ Furnish the Commission with a Plan to make application to the Provincial Government to upgrade the informal settlement in terms of the National Housing Code. The Plan to be submitted within (3) months from the date of the finding. • The COGTA (Free State) is directed to take active measures to review the effectiveness inter-governmental collaborative links between national, provincial and local with respect to Upgrading of Informal Settlements, and furnish the Commission with a Report, within 6 (six) months of date of the finding. • The Free State Department of Human Settlements is directed to assess infrastructural and housing development needs of communities in informal settlements in the Free State and furnish the Commission with a Report within 6 (six) months of the outcome of its consideration. • Respondent is directed to furnish the Commission with the Minutes of every community meeting held at least every three (3) months in respect of development in the municipality relating to access to water and decent sanitation services for residents in informal settlements. • The Respondent is further directed to engage with the community on resettlement plans or relocation to an agreed formalised and well-developed area.	
Parliament		
Any oversight actions taken in the duration of the current (5 th) administration.	Yes	
	August 2025 - Joint parliamentary delegation: Led by Chairperson of the Portfolio Committee on Cooperative Governance and Traditional Affairs (COGTA), included members from the Standing Committee on Public Accounts and the Standing Committee on the Auditor-General, along with several Members of the Provincial Legislature (MPLs) in the Free State. Among the issues the delegation interrogated were municipalities' billions in unpaid debt, with one municipality owing over R8 billion to a water board, failure to pay pension contributions deducted from workers' salaries and paying millions in often unauthorised overtime. At the same time, service delivery has all but collapsed. Municipalities also had to account for litigation driven by unpaid service providers; irregular tenders; decades-long impunity; and unauthorised,	https://www.parliament.gov.za/press-releases/media-alert-cogta-committee-concludes-oversight-last-four-free-state-municipalities https://www.parliament.gov.za/press-releases/corrected-media-

	irregular, fruitless and wasteful expenditure reported of over R7 billion in some municipalities. Follow-up oversight visit conducted in April 2026.	statement-cogta-committee-notes-limited-progress-challenges-persist-free-state-municipalities
Other Oversight Institutions		
Details of any oversight action taken.	None.	

Sources:

- Municipal Demarcation Board *Municipal Powers and Functions Capacity Assessment 2018: Sectoral Report for Water and Sanitation*
- 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>
- Independent Electoral Commission *Local Government Elections Dashboard* accessed at <https://results.elections.org.za/dashboards/lge/>
- Department Water and Sanitation *Blue Drop Progress Report 2022*
- 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>
- Portfolio Committee on Water and Sanitation *Legacy Report: Report of the Portfolio Committee on Water and Sanitation on its activities undertaken during the 5th Parliament* accessed at https://static.pmg.org.za/Water_and_Sanitation.pdf
- South African Human Rights Commission *Report on the Right to Access Sufficient Water and Decent Sanitation 2014* (2014) (SAHRC, 2014 Water Report)
- South African Human Rights Commission *Letter to MEC for Education, Free State: Re Water and Sanitation Infrastructure in Schools for 2021 Academic Year*, <file:///C:/Users/00300002/Downloads/2021-GeneralReports-5.pdf> (SAHRC 2021 Letter to Free State Education MEC)
- South African Human Rights Commission *2013: Free State Water and Sanitation Reports* accessed at <https://www.sahrc.org.za/index.php/publications/investigative-reports/2013-1>.