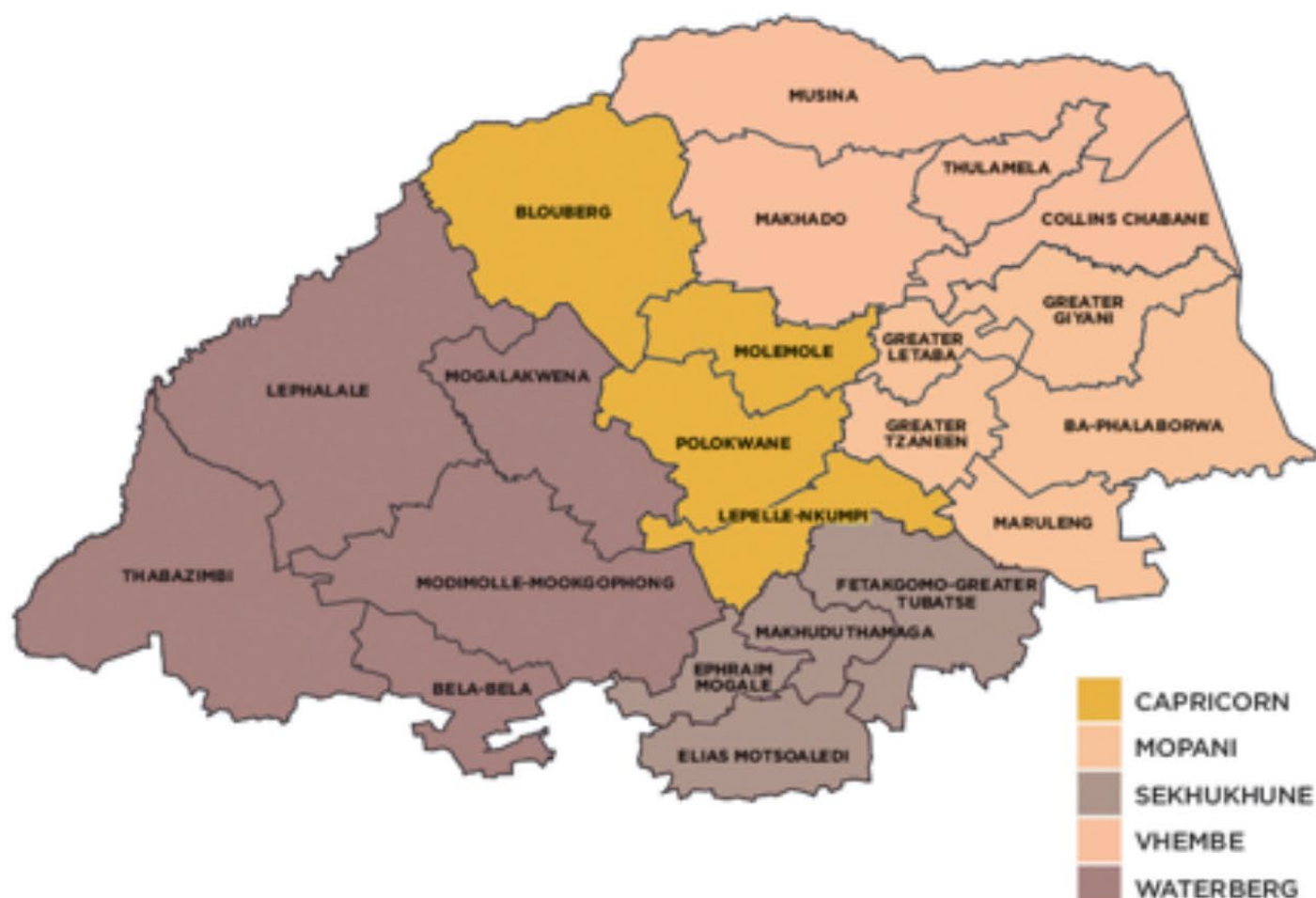


WATER RIGHTS TRACKER

WATER SERVICES AUTHORITY

BELA-BELA LOCAL MUNICIPALITY



OCTOBER 2026



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Map

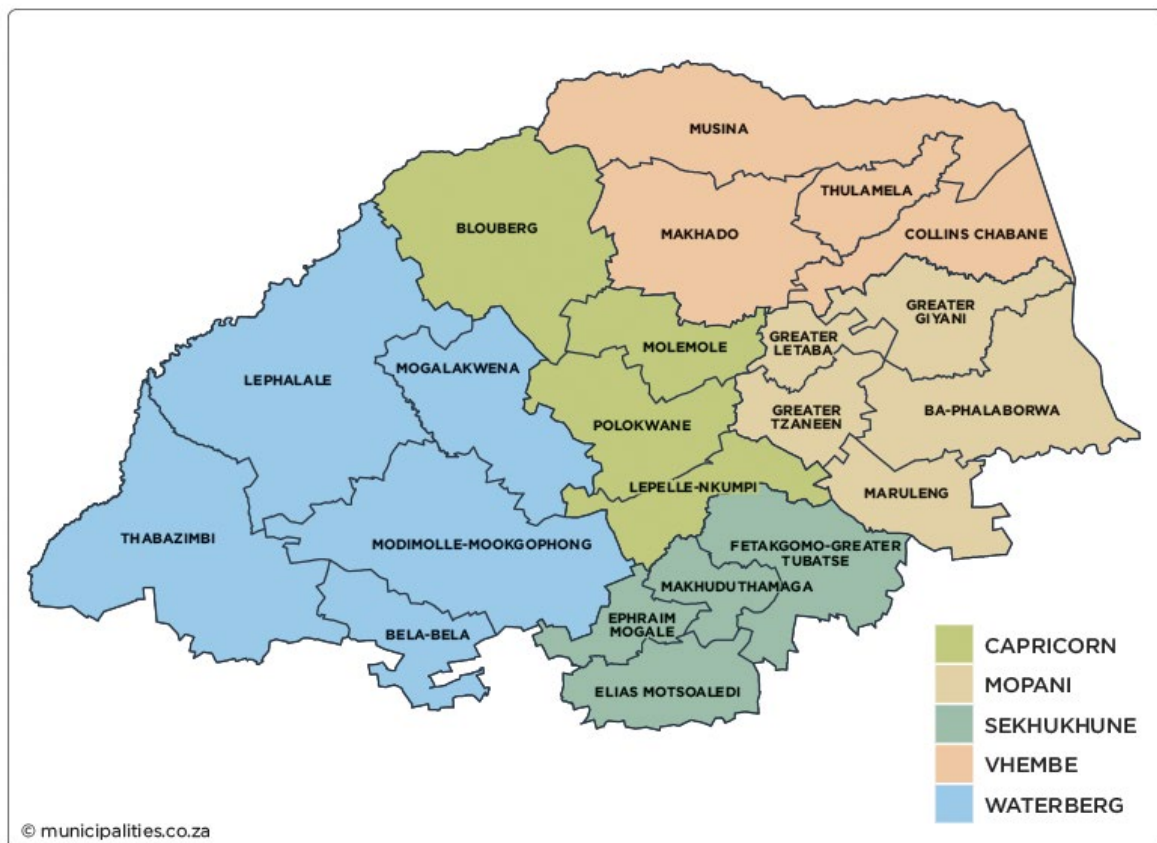


Figure 1: Geographical location of Bela-Bela Local Municipality (source Municipalities of South Africa, <https://municipalities.co.za/provinces/view/5/limpopo>)

The Bela-Bela Local Municipality (BBLM) is situated in the Waterberg District Municipality, in the south of the Limpopo Province.

Assessment: Progressive realization of the right to water in Bela-Bela Local Municipality (BBLM)

RIGHTS HOLDERS		
Demographics	Current Population: Ranges from 60,552 (<i>Blue Drop</i>) to 76,296 (IDP) Population growth rate: -0.33% Sex Ratio: No sex majority Dependency: 23.9% under 15; dependency ratio 47.7	
Unemployment	10.3%	
KEY IMPLEMENTATION INDICATORS		
Availability	River, dam, groundwater 91% of capacity is used	
Physical Access	Communal source +200m	0%
	Communal source – 200m	16.8%
	Water source in yard	83.2%
	Piped water in house	55.4%
	Service delivery point/household coverage ratio	0.99
Economic Access	Tariff variation: Domestic, industrial and additional 20 categories Tariff structure: Increasing block tariff (10 blocks, R9.43-R62.70) FBW: Indigent only Indigency: 22.1% of service delivery points, increasing trend	
Adequacy	All consumers served experience interruptions of less than 48 hours (at any given time) and cumulative interruption time during the year of less than 15 days.	
Quality	Microbiological compliance	85.6%
	Chemical (acute) compliance	50.4%
	Chemical (chronic) compliance	66.4%
Efficiency	WUE Score: 216 l/p/d (Average) Non-revenue water: 24%	
REASONABLE MEASURES		
Policy Efforts	By-law, Indigent Policy and Register, WSDP	
Financial Resources (2024/25)	Budget sufficiency: 103% Revenue coverage: 120% Renewal spending: 0% Maintenance spending rate: 3% Revenue collection rate: 91%	
Human Resources	Blue Drop shortfall: 4 Process Controllers, 1 Supervisor, 2 Technician, 2 Qualified scientist	
SYSTEMIC DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE		
Leadership issues	Not mentioned	
Water planning issues	Unreliable statistics	

Funding model	Not mentioned
Infrastructure issues	-Aging infrastructure causing high water losses
Electricity issues	Load-shedding causing water restrictions
Ecological drivers	Not mentioned
Consumer issues	Not mentioned
Water services intermediaries	Not mentioned
Third-party interference	Theft and vandalism of borehole pumps and transformers resulting in 3 boreholes needing to be abandoned
Intergovernmental coordination	Not mentioned
Scale	3,406km ² 3 WSSs, 3 pump stations, 12 km of bulk water supply lines, 0 km of reticulation pipelines and 7 reservoirs
UNIQUE DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE	
Overlapping governance structures	Not mentioned
Low literacy and education levels	No Schooling: 5.9%, Higher Education: 10.8%
Infrastructure backlogs	Not mentioned
Limited yellow fleet	Inadequate fleet and equipment
High vacancy rate	Not mentioned

Narrative

RIGHTS HOLDERS

Population estimates for the Bela-Bela Local Municipality range from 60 552 (*Blue Drop*) to 79 296 (IDP). The population growth rate of negative 0.33% is slightly higher than the national average of 1.3%. There is a moderate female majority and 23.9% of the population are under the age of 15. The dependency ratio of 47.7 is lower than the reported national 2024 average of 48.4 and the global average of 58.4.¹ There is a low rate of unemployment (expanded definition) at 10.3%.

KEY IMPLEMENTATION INDICATORS

The Bela-Bela Local Municipality is authorised to provide water services and does so by operating 3 water treatment works. Raw water is abstracted from, amongst others the Roodeplaat Dam and groundwater from various collieries.

In terms of physical access, 83.2% of consumers reportedly have a water connection in their yard, although 55.4% enjoy water piped into their dwellings. Another 16.8% of the population have 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 0.99 meaning that the current service delivery points cover 99% of the households counted in the 2022 Census.

The Bela-Bela local Municipality does not provide a universal Free Basic Water Allowance, although in terms of law a municipality is not required to have one. Despite some unemployment, about 22.1% 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 R9.43, most expensive is R62.70). The municipality has 22 tariff categories.

The Municipal Strategic Self Assessment Tool showed that All consumers served experience interruptions of less than 48 hours (at any given time) and a cumulative interruption time during the year of less than 15 days. However, there is a concern with water quality, with the Bela-Bela Local Municipality reporting microbiological compliance at 85.6% and chemical acute compliance at 50.40% and chronic at 66.40%.

Water use efficiency is excellent. The *Blue Drop* score of >216 l/p/d is average. According to the 2021/22 Auditor-General report, 24% of all water produced is non-revenue water.

REASONABLE MEASURES

The Bela-Bela Local Municipality has a water services by-law, a valid Indigent Policy and a WSDP.

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

The municipality's total income, which includes intergovernmental transfers, is enough (120%) to cover capital and operational expenditure. The capital budget allocated to the renewal of all the municipality's infrastructure stood static at 0% and maintenance spend ranged from 3% to 3.5%. The revenue collection rate has fluctuated between 83% and 95% according to MFMA Schedule C datasets.

There are 8 staff employed in water treatment, and there are 199 people working for the water and sanitation department. According to the latest *Blue Drop* report, there is a shortfall of 4 process controllers, 2 technicians, 1 supervisor and 2 qualified scientists.

SYSTEMIC DRIVERS OF RIGHTS NON-COMPLIANCE

The key systemic drivers of rights non-compliance in the Bela-Bela local Municipality are:

- **Leadership issues:** None recorded.
- **Water planning issues:** Unreliable statistics.
- **Funding model:** None mentioned.
- **Electricity issues:** Load-shedding that causes water restrictions.
- **Infrastructure issues:** The municipality struggles with aging infrastructure which causes high water losses.
- **Ecological drivers:** None mentioned.
- **Consumer issues:** None mentioned.
- **Third-party interference:** Theft and vandalism of borehole pumps and transformers.
- **Scale:** Water services in the Bela-Bela Local Municipality are spread out over 3 406 km².

OVERSIGHT

1. Based on its 2021 Inquiry into Access to Water and the Efficacy of Water Services Authorities within Limpopo Province, the SAHRC made specific findings and issued directives against the Bela-Bela Local Municipality (see Table: Oversight).
2. Department of Water and Sanitation: The Regulator notes the dire state of management and drinking water quality in the Radium and Rapotokwane water supply system. The WSI is placed under regulatory surveillance and the Municipal Manager is required to submit a **detailed corrective action plan within 20 days** of publishing of this report

Expanded Table

Indicator	Measurement	Sources
Name of the WSA		
Geographical information about the WSA.	Local municipality in Waterberg District Municipality. Situated in South Limpopo.	
Spatial extent	3,406km ²	https://municipalities.co.za/overview/1136/bela-bela-local-municipality
Municipal wards	9	IDP 2023/24, p. 67
Traditional Authorities	No easily accessible information	
Is the WSA authorized to provide water services?	yes	IDP 2023/24, p. 117
Is the WSA currently providing water services?	water treatment and distribution	IDP 2023/24, p. 117
Method of service provision	self	IDP 2023/24, p. 117
Context indicators		
Details of any water related stresses experienced within the past five years.	Floods and the impacts of cyclone Freddy in Oct 2022 and March 2023 caused damages estimated at R 340,5 million. https://www.citizen.co.za/news/disaster-relief-provided-limpopo-following-floods-may-2023/ Extensive drought in 2016 led to the declaration of a provincial disaster. This was the worst drought recorded for the area since 1983. https://health-e.org.za/2016/09/07/limpopo-water-shortage-worsens-drought-conditions-continue/	WJT Verification
Demographics		
Population	60,882 (<i>Blue Drop</i>) 64,306 (2022 Census) 76,296 (IDP)	2023 <i>Blue Drop Report</i> , p. 262-3; https://municipalities.co.za/demographic/1136/bela-bela-local-municipality ; IDP 2023/24, p. 62
Number of households (Census 2022)	22,449	https://municipalities.co.za/demographic/1136/bela-bela-local-municipality
Number of domestic household service delivery points (2021/2022) (<i>Non-Financial Census of Municipalities</i>)	22,325	https://municipalities.co.za/services/1136/bela-bela-local-municipality

Indicator	Measurement	Sources
Ratio service delivery points / households	0.99	
Number of non-domestic consumers	418	https://municipalities.co.za/services/1136/bela-bela-local-municipality
Males per 100 females	97.9	https://municipalities.co.za/demographic/1136/bela-bela-local-municipality
Gender Split	49.5% Male 50.5% Female	
Population growth rate per annum	-0.33%	https://municipalities.co.za/demographic/1136/bela-bela-local-municipality
Education	No Schooling: 5.9% Higher Education: 10.8%	https://municipalities.co.za/demographic/1136/bela-bela-local-municipality
Financial capacity		
Economically active population (15-64)	67.7%	https://municipalities.co.za/demographic/1136/bela-bela-local-municipality
Unemployment rate	10.3%	IDP 2023/24, p. 161
Dependency rate	47.7	https://municipalities.co.za/demographic/1136/bela-bela-local-municipality
Population under 15	23.9%	https://municipalities.co.za/demographic/1136/bela-bela-local-municipality
Universal FBW Allowance	no	IDP 2023/24 p. 86
Number of service delivery points receiving FBW: 2021/22	4,932	https://municipalities.co.za/services/1136/bela-bela-local-municipality
Percentage of FBW service delivery points	22.1%	
Increase/decrease of FBW 2017/2018 – 2021/2022	4,633 to 4,932 Increase	https://municipalities.co.za/services/1136/bela-bela-local-municipality

Indicator	Measurement	Sources	
		136/bela-bela-local-municipality	
Is the WSA currently experiencing financial problems? (As at 2022/23 Third Quarter)	S 140: 1 trigger and s 138: 2 triggers	NT Municipalities Meeting Criteria, item 156	
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
	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?	No	NT Municipalities Meeting Criteria, item 175	
Is the municipality currently subject to a provincial intervention?	No	AGSA Website Based Report 2021/22	
Water management			
Is the rainfall within the WSA area (July 2022 to January 2023) above or below the average rainfall (464mm) for South Africa?	300 – 500mm	WeatherSA, Historical Rain map	
Water abstraction authorized?	No	2023 Blue Drop Report p. 261	
Volume of authorized/(unauthorized) water abstraction?	(6,347 kl/d)	2023 Blue Drop Report p. 261	
How many water treatment plants are in the WSA’s water services network?	Bela-Bela WSA manages 3 WSSs, 3 pump stations, 12 km of bulk water supply lines, 0 km of reticulation pipelines and 7 reservoirs. Total design capacity is 8.5 Ml per day. 7 Ml of capacity is available. Average production: 6.3 Ml per day 91% of capacity is used	2023 Blue Drop Report, p.250, 259, p. 273	

Indicator	Measurement		Sources
	2023 <i>Blue Drop</i> critical risk: 2 (Radium, Rapotokwane)		
How many biophysical water sources does this WSA have access to?	River	☒	2023 <i>Blue Drop Report</i> , p. 273
	Dam	☒	
	Saltwater	☐	
	Groundwater	☒	
Names of rivers and dams	Roodeplaat Dam (Magalies Water).		2023 <i>Blue Drop Report</i> , p. 273
How many infrastructure water sources does this WSA have?	Water reclamation	☐	IDP 2023/24, 117
	Desalination	☐	
	From natural source	☒	
Political Stability			
Is there a coalition government?	No ANC 10, DA 2, EFF 2, VF PLUS 2, BRA 1		https://municipalities.co.za/management/1136/bela-bela-local-municipality
Has there been mayoral instability in the last 5 years?	It appears that the mayor has been in office since 22 November 2021: https://www.facebook.com/163463227457102/posts/bela-bela-municipality-council-appoints-new-mayorthe-council-of-bela-bela-local-/1346654239137989/ No reports can be found that would indicate leadership instability in the WSA.		
MM/CFO Vacancy Snapshot	AGSA Website Based Report 2022/23		Media repos.
	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.	22 months	
	CFO vacancy at the end of the year?	no	
	Number of months the CFO has been in position.	12	
Policy Efforts			
Water By-law			
Is there a water by-law?	yes		By-law
Citation of by-law	Water Services By-Law, 2011		By-law

Indicator	Measurement		Sources
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	Details of how sampling of water will take place	
	Preventing water pollution	yes	
	Anything else?	Measures for temporary supply.	
		Provision for water audit	
Water Services Development Plan			
Is there a water services development plan?	Yes		
The validity duration of the plan (which years)	Adopted in 2022		WJT Verification
General Policy Framework			
Is there an Indigent Policy?	yes		Indigent Policy
IDP			
Water services issues identified in the IDP or through verification	Water restrictions due to loadshedding Inability to supply water to full demand of 16,4ML/day Aging Infrastructure High Water Losses (Average of 20.5% in previous 2021/22 FY) Theft and vandalism in BBLM primarily affect boreholes and transformers. In Pienaarsrivier, 2 boreholes have been abandoned because of these incidents and in Bela-Bela 1 borehole faces similar challenges Inadequate fleet and equipment		IDP 2023/24, p. 119, 139 WJT Verification

Indicator	Measurement	Sources								
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>102%</td></tr><tr><td>2022/2023</td><td>103%</td></tr><tr><td>2023/2024</td><td>103%</td></tr></tbody></table>	Period	Budget sufficiency (%)	2021/2022	102%	2022/2023	103%	2023/2024	103%	MFMA Section 71 Schedule C 2021 to 2024 Reports
Period	Budget sufficiency (%)									
2021/2022	102%									
2022/2023	103%									
2023/2024	103%									
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>117%</td></tr><tr><td>2022/2023</td><td>121%</td></tr><tr><td>2023/2024</td><td>120%</td></tr></tbody></table>	Period	Revenue coverage %	2021/2022	117%	2022/2023	121%	2023/2024	120%	MFMA Section 71 Schedule C 2021 to 2024 Reports
Period	Revenue coverage %									
2021/2022	117%									
2022/2023	121%									
2023/2024	120%									
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>83%</td></tr><tr><td>2022/2023</td><td>95%</td></tr><tr><td>2023/2024</td><td>91%</td></tr></tbody></table>	Period	Revenue collection rate %	2021/2022	83%	2022/2023	95%	2023/2024	91%	MFMA Section 71 Schedule C 2021 to 2024 Reports
Period	Revenue collection rate %									
2021/2022	83%									
2022/2023	95%									
2023/2024	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 (%)</th></tr></thead><tbody><tr><td>2021/2022</td><td>13%</td></tr></tbody></table>	Period	Capital budget allocated (%)	2021/2022	13%	MFMA Section 71 Schedule C 2021 to 2024 Reports				
Period	Capital budget allocated (%)									
2021/2022	13%									

Indicator	Measurement	Sources		
Maintenance spending rate % (Total maintenance expenditure / total revenue collected) x 100		MFMA Section 71 Schedule C 2021 to 2024 Reports		
Infrastructure Resources				
Current infrastructure value	43,215,000	Budget, Sheet A9, Item 138, Adjusted Budget 20/21		
Human and Skills Resources				
Total number of staff employed in the water services provision department.	199	WJT Verification		
Total number of staff employed in water treatment	8 (6 supervisory, 2 technical)	2023 <i>Blue Drop Report</i> ; p. 255, 257		
Supervisor Staff/WTW Ratio	2.0	2023 <i>Blue Drop Report</i> , p. 255		
Technical Staff/WTW Ratio	0.7	2023 <i>Blue Drop Report</i> , p. 257		
Staff Shortfall	4 Process Controllers 1 Supervisor 2 Technicians 2 Qualified scientists	2023 <i>Blue Drop Report</i> , p. 255,257		
Vacancies as a percentage of the total staff (municipality-wide)	No information	WJT Verification		
Implementation				
Physical Access				
Physical access to water, number and percentage of domestic service delivery points	Communal source +200m	0	0%	https://municipalities.co.za/services/1136/bela-bela-local-municipality
	Communal source – 200m	3,755	16.8%	
	Water source in yard	18,570	83.2%	
Piped water inside dwelling	55.4%	https://municipalities.co.za/demographic/1136/bela-bela-local-municipality		
Economic Access				
Step tariff for households in rand excl VAT. For 2021/22	0 < 30kl	15.57	Final Tariffs 2021/22, p 6	
	31kl < 50kl	18.67		
	51kl < 80kl	22.40		

Indicator	Measurement		Sources
	81kl <	24.64	
Categories of water use:	- Residential - Commercial - Hospitals - Schools - Old age homes - Places of worship		Tariff Policy 2020/21, p13
Tariffs for schools.	0 < 30kl	15.57	Final Tariffs 2021/22, p 6
	31kl < 50kl	18.67	
	51kl < 80kl	22.40	
	81kl <	24.64	
Notes.	Rates are same as residential		Final Tariffs 2021/22, p 6
Tariffs for clinics	0 < 30kl	15.57	Final Tariffs 2021/22, p 6
	31kl < 50kl	18.67	
	51kl < 80kl	22.40	
	81kl <	24.64	
Notes.	Rates for state hospitals and government health facilities are the same. Private facilities pay higher tariffs.		Final Tariffs 2021/22, p 6
Adequacy			
Number of planned interruptions in 2023.	All consumers served experience interruptions of less than 48 hours (at any given time) and cumulative interruption time during the year of less than 15 days. This is true for almost all of the residents.		MuSsA, 2022, item 17.3
Number of unplanned interruptions in 2022/2023	No information		Section 80 reports, WJT Verification
Media reports on outages:	No reported media coverage		WJT Verification
Quality			
What is the WSA’s blue drop score?	2023: 60.3% 2011: 71.1%		2023 Blue Drop Report, p. 273
Blue Drop Score Improved/Deteriorated (2011-2023)	Deteriorated		
Blue Drop microbiological compliance score	85.6% (1 Excellent WTWs; 2 Unacceptable WTWs)		2023 Blue Drop Report, p. 264
Blue Drop chemical (acute) compliance score	50.4% (1 Excellent WTWs; 2 Unacceptable WTWs)		2023 Blue Drop Report, p. 265
Blue Drop chemical (chronic health) compliance score	66.4% (1 Excellent WTWs; 2 Unacceptable WTWs)		2023 Blue Drop Report, p. 265
Does the WSA have a contract with the lab to test water samples?	Yes, Waterlab services procured monthly.		
Green Drop Risk Rating	High Risk		2023 Green Drop Report, p. 279
Efficiency			
Blue Drop Water Use Efficiency Score	216 l/p/d (Average)		2023 Blue Drop Report, p. 262-3

Indicator	Measurement	Sources
No Drop Score 2021/22	45%	2023 <i>No Drop Report</i> , p. 169
Amount of non-revenue water in liters and in rands value.	R8.49 million Equal to 24% of all water flowing through municipal pipelines	https://mfma-2024.agsareports.co.za/municipality/5-bela-bela
Main reasons for water losses.	Asset management Technical skills Compliance and performance	2023 <i>No Drop Report</i> , p. 169
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 Radium and Rapotokwane water supply system. The WSI is placed under regulatory surveillance and the Municipal Manager is required to submit a detailed corrective action plan within 20 days of publishing of this report.	2023 <i>Blue Drop Report</i> , p. 273
<i>Green Drop</i> actions	None	2023 <i>Green Drop Report</i> , p. 280
Judicial Oversight		
Were 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 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	Paras 47, 48, 50, 71, 78-102, 142

Indicator	Measurement	Sources
	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.	Appeal from the High Court, Limpopo Division. Legal Question: Is the interdict given by the HC a competent order? The interdict mandated Capricorn District to repair and replace all leaking pipes and all defective meters within 12 months. In addition, the HC ordered that the WSA may only recover a flat rate of about R 70 for water services delivered from affected households. Judgement: The appeal succeeded. The SCA found that the HC cannot order the WSA to replace and repair the leaky pipes because water leakages do not adversely affect consumers. This is because water leakages are not captured by any water meter reflecting what is payable to any consumer. (Bear in mind that the community alleged they were liable to pay for the wasted water.) A court may also not determine the rates as which water services are charged as this is in contravention of the separation of powers.	Paras 25 and 21
SAHRC Reports		
Where any reports received and investigated on the right to water by the SAHRC?	yes	
Reference details of the report.	Inquiry into Access to Water and the Efficacy of Water Services Authorities within Limpopo Province (SAHRC Oct 2021)	
Summary of the report and the impact for future water services delivery.	Department of Cooperative Governance, Human Settlements and Traditional Affairs Finding: The Commission finds that the Limpopo Department of Cooperative Governance, Human Settlements and Traditional Affairs (CoGHSTA) is not effectively playing its	

Indicator	Measurement	Sources
	role as an oversight body in terms of ensuring that access to water is a reality within the Limpopo Province. Recommendation: • The Commission recommends that the CoGHSTA identifies municipalities that (i) apply for grants and fail to spend such grants, (ii) do not apply for grants at all; and (iii) receive the grants and use them inappropriately. The CoGHSTA should come up with an action plan on how this will be mitigated. This action plan is to be submitted to the Commission within three (3) months after the receipt of this report. Department of Water and Sanitation Findings: • The Commission finds that the Limpopo Department of Water and Sanitation (DWS) is failing to play its oversight role. • The DWS does not assist or intervene when the Municipalities fail to provide sufficient water to their communities in terms of sections 62 and 63 of the Water Services Act, respectively. • The DWS has failed to take action when a municipality has failed or is unable to apply/ access municipality grants while communities are not provided with water. Recommendations: • The Commission recommends that the DWS must submit to the Commission, a detailed plan, with timeframes on how it will provide support to the municipalities in order to resolve the water crisis in Limpopo. • The DWS must submit to the Commission a list of municipalities that applied for water grant/s, the list must also provide the outcome of the grant/s or progress made in processing the grant/s. • If the application had been declined, the DWS must provide the reason/s as to why the application was declined. • The DWS must also provide details of the assistance provided to the municipality after declining the application. • The above requested information must be submitted to the Commission within three (3) months after the receipt of this report.	

Indicator	Measurement	Sources
	Office of the Premier of Limpopo Province Findings: • The Commission has found that it is not clear as to how the Office of the Premier for the Limpopo Province plays its oversight role over municipalities that are failing to provide water. • The Office of the Premier for the Limpopo Province is therefore failing to monitor the provision of water by the municipalities in Limpopo. Recommendation: • The Commission recommends that the Office of the Premier for the Limpopo Province must conduct an assessment and evaluation of the provision of water in the Limpopo Province, develop and submit measures to effectively support the municipalities to ensure adherence to the Water Services Act and Compulsory Standards. This information must be submitted to the Commission within three (3) months of the receipt of this report.	
Specific findings for the WSA	The Bela-Bela Local Municipality acknowledged that it is not providing sufficient water to all the residents within its jurisdiction due to increasing population as well as the lack of maintenance of aging infrastructure. <i>The Commission finds that the Municipality does not comply with the Water Services Act and Compulsory Standards.</i> Recommendations: The Commission recommends that the Municipality must submit a detailed schedule of how communities will be provided with water within three (3) months after the receipt of this report. The Municipality must provide the Commission with a detailed plan with timeframes within three (3) months after the receipt of the report, on how it will provide water to every resident within its jurisdiction in line with the Water Services Act and Compulsory Standards.	Inquiry into Access to Water and the Efficacy of Water Services Authorities within Limpopo Province (SAHRC Oct 2021)
Department of Water and Sanitation		
Has the DWS issued any directives against the WSA?	No	
Summary of the directive and the impact for future water services delivery.	N/A	
Legislature Oversight		
Any oversight actions taken in the duration of the current (5 th) administration.	No	

Indicator	Measurement	Sources
Other Oversight Institutions		
Details of any oversight action taken.	None.	

Sources:

- Auditor-General of South Africa MFMA Report for 2022/23 <https://mfma-2022.agsareports.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 Report 2023
- Municipal Demarcation Board Municipal Powers and Functions Capacity Assessment 2018: Sectoral Report for Water and Sanitation
- Independent Electoral Commission Local Government Elections Dashboard accessed at <https://results.elections.org.za/dashboards/lge/>
- Municipalities of South Africa <https://municipalities.co.za/provinces/view/5/limpopo>
- National Treasury Municipalities Meeting Criteria for Determining Serious Financial problems in Terms of Sections 138 and 140 of the MFMA for the fourth quarter of 2022/23
- South African Human Rights Commission Inquiry into Access to Water and the Efficacy of Water Services Authorities within Limpopo Province (SAHRC Oct 2021)
- 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>

Municipal Documentation

- Bela-Bela Local Municipality Annual Budget 2020/21
- Bela-Bela Local Municipality Integrated Development Plan 2023/24
- Bela-Bela Local Municipality Draft Water Services By-Law
- Bela-Bela Local Municipality Indigent Policy
- Bela-Bela Local Municipality Tariff By-Law 2020/21
- Bela-Bela Local Municipality Tariff Policy 2021
- Bela-Bela Local Municipality Final Tariff 2021