

DEPARTMENT OF WATER AND SANITATION

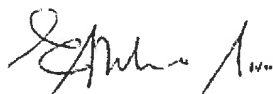
NO. 4970

14 June 2024

TRANSFORMATION AND AMALGAMATION OF BERG RIVER IRRIGATION BOARD, LOWER BERG RIVER IRRIGATION BOARD AND BERG RIVER MAIN IRRIGATION BOARDS INTO BERG RIVER WATER USER ASSOCIATION IN TERMS OF SECTION 98(6) OF THE NATIONAL WATER ACT, 1998 (NO. 36 OF 1998)

I, Senzo Mchunu, the Minister of Water and Sanitation, hereby declare in terms of section 98(6) of the National Water Act, 1998 (Act No. 36 of 1998) that –

- (a) The Berg River Water User Association is established.
- (b) The Association's name is the Berg River Water User Association.
- (c) The area of operation of Berg River Water User Association is situated in the Breede Olifants Water Management Area number 6 and drainage areas no G10A-D, G10F, J, K and G10M partially situated in the Cape Winelands-, and West Coast District Municipal areas, in the Western Cape Province.
- (d) The Association area of operation does not include the full hydrological boundaries draining to the Berg River, but includes the resource downstream from the Berg River Dam in the South till it's confluence with the Atlantic Ocean in the North West, in so far as it refers to riparian properties and/or other properties included under Higher Court Rulings, Water Services Authorities, namely Drakenstein-, Swartland-, Berg River-, and Saldanha Bay, and/or established schemes within close proximity to the river, which properties and/or entities holds water use entitlements to use water from the main stem Berg River and whereas membership of each pumping scheme will also serve on the Management Committee of the Association. The area receives a share of its resources via an inter basin transfer from the Western Cape Water Supply System', Theewaterskloof Dam, and direct releases from the Voelvlei Dam, the remainder of the resource augmented by local catchment runoff and return flows from treated water.
- (e) Any other water resource(s) and/or waterworks situated outside the area described in paragraph (c) above, the Department of Water and Sanitation or the responsible authority may request the Water User Association to control, which is situated under Water Management Area number 6 in the National Water Resource Strategy 3 (NWRS3) in the Province of the Western Cape.
- (f) Delegation of powers and functions of the Water User Association is per the delegations of 31 March 2023, which will be provided to the Water User Association.
- (g) The constitution of the Nels and Smits River Water User Association has been approved.



MR SENZO MCHUNU, MP
MINISTER OF WATER AND SANITATION

DATE: 04/06/24