

DEPARTMENT OF WATER AFFAIRS

NO. 6392

4 July 2025

MZIMVUBU-TSITSIKAMMA WATER MANAGEMENT AREA (WMA 7) IN THE EASTERN CAPE PROVINCE: LIMITING THE USE OF WATER IN TERMS OF SECTION 6 OF SCHEDULE 3 OF THE NATIONAL WATER ACT OF 1998; FOR URBAN, AGRICULTURAL, AND INDUSTRIAL (INCLUDING MINING) PURPOSES

I, Dr Sean Philips, in my capacity as Director-General of the Department of Water and Sanitation (DWS), on reasonable grounds believe that a water shortage exists in the Kromme Sub-System of the Algoa Water Supply System (WSS) within the Mzimvubu-Tsitsikamma Water Management Area in the Eastern Cape Province; due to Impofu Dam level still being <50% on 01 November 2024 and it remain vulnerable, despite the good rains received in June and November 2024 coupled with flooding.

The Minister of Water and Sanitation may, in terms of item 6 (1) of Schedule 3 of the National Water Act of 1998 (Act 36 of 1998) (The Act) limit the use of water in the area concerned if the Minister, on reasonable grounds, believes that a water shortage exists within the area concerned. This power has been delegated to me in terms of Section 63 (1) (b) of the Act.

Therefore, in my capacity as the Director-General of the Department of Water and Sanitation I hereby under delegated authority in terms of section 6 (1) of Schedule 3 read with section 72(1) of the Act, limit the taking of water in terms of section 21(a) by all users in the geographical areas and schemes listed and described below, as follows:

1. The Algoa Water Supply System, its associated primary catchments and its footprint area of supply, as indicated in Table 1 below:

Table 1: Dams and sub-systems of the Algoa WSS with restricted allocations for 2024/25. (based on operation risk assessments and presented at the Algoa WSS Operating Forum meeting of 27 November 2024)

Scheme / Dam	River catchment	Restricted Allocation Availability	Curtailment %
Churchill and Impofu Dams	Kromme River	29.26 million m ³ /for domestic use (NMBM & Kouga LM),	23%
		0.476 million m ³ / for irrigation use.	43%

- a. Curtailment of 23% on all taking of water from Impofu and Churchill Dams for domestic and industrial water use, and 43% on all taking of water for agricultural use from Churchill and Impofu Dams and the relevant parts of the primary catchments upstream of the dams.
- b. Other sub-schemes and groundwater use within the Algoa WSS and the relevant parts of the primary catchments within which the Algoa WSS occurs, do not require restriction,
- c. The taking of water from individual sub-systems and dams in the Algoa WSS be limited to the reduced allocations as specified in Table 1.
- d. The DWS Eastern Cape Provincial Head is delegated the power to review the water restrictions, should the Kromme Sub-system in the Algoa WSS recover adequately or deteriorate further, during the current water year: 01 November 2024 to 31 October 2025, as informed by systems models and amend the water restrictions, otherwise the operating rules/restrictions stand until the next year's analysis and decisions.


2. The curtailments in Table 1 above are measured against the lawful water allocations / water registrations or water demand of the users as per projected annual water use.
3. The limitation applies to the annual water year commencing 01 November 2024 (for scheme members and those consulted).
4. All water user sector groups and individuals taking water from any water resource (surface or groundwater) regardless of their authorisation type, in the geographical areas listed and described above in the Mzimvubu to Tsitsikamma Water Management Area, shall install electronic water monitoring or measuring and recording devices to enable monitoring of abstractions, storage and use of water by existing lawful users.
5. All water use sectors groups and individuals taking water from any water resource (surface or groundwater) regardless of their authorisation type, in the geographical areas listed and described above in the Mzimvubu to Tsitsikamma Water Management Area must
 - a. take records of water abstracted on a daily basis.
 - b. establish links with any monitoring or management system designated by the responsible authority.
 - c. submit monthly totals of metered volumes abstracted with effect from 30 days following the date of publication of this notice, in a format specified by the Department and shall continue such recording and reporting data monthly to the Department by the 5th day of each month to metering.mzitsi@dws.gov.za

All the affected Water Service Authorities (WSA) must ensure that all domestic water users, at least, have access to basic water service and that potable water supply to all domestic water users is not completely restricted.

In exercising these powers I have given preference to, the maintenance of the Reserve, treated all water users on a basis that is fair and reasonable, considered the actual extent of the water shortage, the likely effects of the shortage on the water users, the strategic importance of any water use and any water rationing or water use limitations by a Water Services Institution having jurisdiction in the area concerned, under the Water Services Act 108 of 1997.

Placing limitation on the taking of water as set out in this notice is an administrative action, affecting the rights of the public as contemplated in section 4 of the Promotion of Administrative Justice Act 3 of 2000 (PAJA). After I have taken into consideration all relevant factors, including those referred to in section 4 (4) (b), I have decided that it is reasonable and justifiable in the circumstances to depart from the requirements referred to in section 4 (1)(a) to (e), (2) and (3) and instituted this limitation without allowing the water users affected and other role players to comment on the matter before I institute the limitation.

This Notice overrides any other previous authorization on water use issued by the Department relating to water users from systems, schemes, dams and catchments specified in this Notice.



DR SEAN PHILIPS
DIRECTOR-GENERAL
DATE: 3 April 2025