



Western Cape Government • Wes-Kaapse Regering • URhulumente weNtshona Koloni

PROVINCE OF THE WESTERN CAPE

PROVINSIE WES-KAAP

IPHONDO LENTSHONA KOLONI

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Extraordinary**

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PROVINCIAL NOTICE

The following Provincial Notices are published for general information.

ADV. B. GERBER,
DIRECTOR-GENERAL

Provincial Legislature Building,
Wale Street,
Cape Town.

PROVINSIALE KENNISGEWING

Die volgende Provinsiale Kennisgewings word vir algemene inligting gepubliseer.

ADV. B. GERBER,
DIREKTEUR-GENERAAL

Provinsiale Wetgewer-gebou,
Waalstraat,
Kaapstad.

IZAZISO ZEPHONDO

Ezi zaziso silandelayo sipapashelwe ukunika ulwazi ngokubanzi.

ADV. B. GERBER,
UMLAWULI-JIKELELE

ISakhiwo sePhondo,
Wale Street,
eKapa.

PROVINCIAL NOTICE

P.N. 157/2017

21 August 2017

**OFFICE OF THE PREMIER OF THE WESTERN CAPE
DISASTER MANAGEMENT ACT, 2002 (ACT 57 OF 2002)**

EXTENSION OF DECLARATION OF PROVINCIAL STATE OF DISASTER

Under section 41(5)(c) of the Disaster Management Act, 2002 (Act 57 of 2002), I extend the declaration of the provincial state of disaster, issued in Provincial Notice 112/2017 published in *Provincial Gazette* 7771 on 24 May 2017, for one month from 24 August 2017 to 23 September 2017, as a result of the magnitude and severity of the continuing drought affecting the Western Cape.

Signed at Cape Town on this 17th day of August 2017.

**H ZILLE
PREMIER**

Countersigned by:

**A W BREDELL
PROVINCIAL MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING**

DATE: 17 August 2017

PROVINSIALE KENNISGEWING

P.K. 157/2017

21 Augustus 2017

**KANTOOR VAN DIE PREMIER VAN DIE WES-KAAP
WET OP RAMPBESTUUR, 2002 (WET 57 VAN 2002)**

VERLENGING VAN VERKLARING VAN PROVINSIALE RAMPTOESTAND

Kragtens artikel 41(5)(c) van die Wet op Rampbestuur, 2002 (Wet 57 van 2002), verleng ek die verklaring van die provinsiale ramptoestand uitgereik in Provinsiale Kennisgewing 112/2017 gepubliseer in *Provinsiale Koerant* 7771 op 24 Mei 2017, vir een maand vanaf 24 Augustus 2017 tot 23 September 2017, weens die omvang en felheid van die voortslepende droogte wat die Wes-Kaap raak.

Geteken te Kaapstad op hierdie 17de dag van Augustus 2017.

**H ZILLE
PREMIER**

Medeonderteken deur:

**A W BREDELL
PROVINSIALE MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING**

DATUM: 17 Augustus 2017

ISAZISO SEPHONDO

I.S. 157/2017

21 kweyeThupha 2017

**IOFISI YENKULUMBUSO YENTSHONA KOLONI
UMTHETHO IDISASTER MANAGEMENT ACT, 2002 (UMTHETHO 57 KA-2002)**

ULWANDISO LOKUBHENGESWA KWEMEKO YENTLEKELE YEPHONDO

Phantsi kwecandelo 41(5)(c) lomthetho *iDisaster Management Act*, 2002, (uMthetho 57 ka-2002), ndandisa ukubhengezwa kwemeko yentlekele yephondo, ekhutshwe kwiSaziso sePhondo 112/2017 esipapashwe kwi*Gazethi yePhondo* 7771 ngomhla wama-24 kwinyanga kaCanzibe 2017, inyanga enye ukusuka ngomhla wama-24 kweyeThupha 2017 ukuya kowama-23 kweyoMsintsi 2017, ngenxa yobukhulu nokuqatsela kwembalela eqhubekayo echaphazela iNtshona Koloni.

Sityikitywe eKapa ngalo mhla we-17 kweyeThupha 2017.

**H ZILLE
INKULUMBUSO**

Siqinisekiswe ngu:

**A W BREDELL
UMPHATHISWA WOORHULUMENTE BENDAWO, IMICIMBI YOKUSINGQONGILEYO NOCWANGCISO LOPHUHLISO**

UMHLA: 17 kweyeThupha 2017

PROVINCIAL NOTICE

P.N. 158/2017

21 August 2017

**OFFICE OF THE PREMIER OF THE WESTERN CAPE
DISASTER MANAGEMENT ACT, 2002 (ACT 57 OF 2002)****DIRECTIONS UNDER SECTION 41(2)**

On 24 May 2017, under Provincial Notice 112/2017 published in *Provincial Gazette* 7771, issued under section 41(1) of the Disaster Management Act, 2002, a provincial state of disaster was declared as a result of the magnitude and severity of the drought affecting the Western Cape.

Bearing in mind the responsibility of the Western Cape Government in terms of the Disaster Management Act, 2002, to, among other things:

- (a) prevent an escalation of the disaster;
- (b) alleviate, contain and minimise the effect of the disaster;
- (c) mitigate the severity of the disaster;
- (d) rapidly and effectively respond to the disaster,

under section 41(2) of that Act, I issue the directions contained in the Schedule hereto dealing with restrictions on the use of potable water for domestic and industrial purposes.

The directions will apply to the Cape Town Metropolitan Municipality and all district and local municipalities in the Western Cape.

Signed at Cape Town on this 18th day of August 2017.

H ZILLE
PREMIER

Countersigned by:

A W BREDELL
PROVINCIAL MINISTER OF LOCAL GOVERNMENT, ENVIRONMENTAL AFFAIRS AND DEVELOPMENT PLANNING

DATE: 18 August 2017

SCHEDULE**DIRECTIONS FOR THE DETERMINATION OF BULK RAW WATER AVAILABILITY AND IMPLEMENTATION OF RESTRICTIONS ON THE USE OF POTABLE WATER FOR DOMESTIC AND INDUSTRIAL PURPOSES****Definitions**

1. In these directions, any word or expression to which a meaning has been assigned in the Act bears that meaning and, unless the context indicates otherwise—
 - “**bulk raw water**” means the combined volume of untreated water derived from all water sources for supply to a town or settlement in a municipality;
 - “**Department**” means the provincial department responsible for local government matters in the Province;
 - “**municipality**” means a metropolitan, district or a local municipality in the Province described in section 155(1) of the Constitution of the Republic of South Africa, 1996, as a category A, C or B municipality respectively, and designated as a water services authority by section 1 of the Water Services Act, 1997 (Act 108 of 1997);
 - “**National Water Act, 1998**” means the National Water Act, 1998 (Act 36 of 1998);
 - “**Province**” means the Province of the Western Cape;
 - “**provincial state of disaster**” means the provincial state of disaster declared under Provincial Notice 112/2017 on 24 May 2017 as a result of the magnitude and severity of the drought affecting the Province;
 - “**the Act**” means the Disaster Management Act, 2002 (Act 57 of 2002);
 - “**trigger point**” means the percentage, volume, flow rate or level, as the case may be, of the bulk raw water supply that necessitates the implementation of water restrictions;
 - “**Water Services Act, 1997**” means the Water Services Act, 1997 (Act 108 of 1997).

Application

2. These directions apply to all municipalities in the Province for the duration of the declared provincial state of disaster, including any extensions thereto in terms of section 41(5)(c) of the Act.

Assessments by municipalities

3. (1) A municipality must, as soon as possible after the issuing of these directions, perform an assessment for each town or settlement in that municipality, or, if the municipality is supplied by a bulk water service provider, for all towns and settlements in that municipal area, to determine—
 - (a) the specific points of abstraction, indicated with coordinates and the reference name of the source, where raw water is abstracted for bulk raw water supply to a town or settlement;
 - (b) the total yield of water from each water source, including flow levels in rivers, dam storage levels and groundwater tables, where applicable, for the period 1 July 2014 to 30 June 2015, when no water stress was experienced;
 - (c) the current available bulk raw water volume from all water sources, whether authorised under the National Water Act, 1998, or not, calculated as a percentage of the total water yield after taking into account any constraints in the water supply, including mechanical and conveyance infrastructure limitations, water treatment limitations, water losses through distribution and any other constraints;
 - (d) the amount of potable water available for supply;
 - (e) the trigger point, and match it to the different percentage ranges as contemplated in Column 2 of the Table to determine the level of water restrictions contemplated in Column 1 of the Table and the water reduction target as contemplated in Column 3 of the Table;
 - (f) an appropriate target consumption in megalitres per day, as contemplated in Column 4 of the Table, by which the incremental water demand for bulk supply within the urban areas of the municipality must be reduced, and calculate the associated remainder of weeks of water supply, as contemplated in Column 5 of the Table by taking into account the associated volume and percentage of bulk water supply availability as determined in paragraphs (c) and (d);
 - (g) subject to paragraphs (a) to (f), the level at which water restrictions contemplated in Column 1 of the Table must be imposed within its area, if needs be.
- (2) A municipality must record the respective volumes of potable water supplied and the associated daily water demand for each month for the period 1 July 2014 to 30 June 2015 as a baseline against which water restrictions must be established.
- (3) A municipality must, after performing the assessment contemplated in subparagraph (1)(a) to (g) and after recording the information in subparagraph (2), notify the Department in writing of the results of the assessment, which are to include a copy of the calculation records reflecting how the results were obtained and indicating the level at which it intends implementing water restrictions under the current water stress conditions, and provide the Department with the information recorded as contemplated in subparagraph (2).
4. The assessment, including the notification to the Department, contemplated in paragraph 3(3) must be completed within five working days from the date that these directions are published in the *Provincial Gazette*.
5. The Department must, within five working days from receipt of an assessment contemplated in paragraph 3, consider the assessment and notify the municipality in writing—
 - (a) that it supports the proposed level of water restrictions the municipality intends implementing, where applicable; or
 - (b) that it does not support the proposed level of water restrictions and direct that municipality to implement the level at which water restrictions should be implemented in that municipality, after consultation with that municipality.
6. A municipality must implement the water restrictions within five working days from the date of receipt of the notification contemplated in paragraph 5.
7. A municipality must, by public notice or any other effective, legal means, communicate the level of restrictions contemplated by these directions to consumers within its municipal area as well as the achievement or non-achievement of consumption targets, and any change in the level of restrictions.

Monitoring

8. A municipality must regularly monitor the amount of bulk raw water within its supply systems to ensure that the targeted reduction percentage contemplated in Column 3 of the Table is achieved, depending on the level of available bulk raw water contemplated in Column 2.
9. If the targeted reduction percentage contemplated in Column 3 is not achieved within two months from the date of implementation of a level of water restrictions, the level at which restrictions were imposed must be increased to a level higher within seven working days from the date of termination of the period referred to in this paragraph.

Reporting by municipalities

10. A municipality must furnish the Department with a monthly report in writing dealing with the achievement of targets to reduce water consumption.

Table

Note: the information provided in Columns 1 to 3 may not be amended. Municipalities must provide the corresponding information in Columns 4 and 5, as determined in the assessment.

Column 1	Column 2	Column 3	Column 4	Column 5
LEVEL OF WATER RESTRICTIONS	TRIGGER POINT	PERCENTAGE TARGET REDUCTION IN POTABLE WATER SUPPLY AND DEMAND	TARGET CONSUMPTION OF POTABLE WATER DEMAND (EXPRESSED IN MEGALITRES PER DAY)	CALCULATED NUMBER OF REMAINING WEEKS OF BULK RAW WATER SUPPLY FOR EACH TOWN OR SETTLEMENT IN THE MUNICIPALITY (EXPRESSED AS WEEKS)
Water Conservation Measures	Permanent 100% — 81%	Baseline		
1 Moderate	80% — 66%	0% — 10%		
2 High	65% — 51%	10% — 20%		
3 Very High	50% — 36%	20% — 30%		
4 Severe	35% — 21%	30% — 40%		
5 Emergency	< 20%	40% — 50%		

PROVINSIALE KENNISGEWING

P.K. 158/2017

21 Augustus 2017

KANTOOR VAN DIE PREMIER VAN DIE WES-KAAP**WET OP RAMPBESTUUR, 2002 (WET 57 VAN 2002)****AANWYSINGS KRAGTENS ARTIKEL 41(2)**

Op 24 Mei 2017, onder Provinsiale Kennisgewing 112/2017 gepubliseer in *Provinsiale Koerant* 7771, uitgereik kragtens artikel 41(2) van die Wet op Rampbestuur, 2002, is 'n provinsiale ramptoestand verklaar weens die omvang en felheid van die droogte wat die Wes-Kaap raak.

Met inagneming van die verantwoordelikheid van die Wes-Kaapse Regering ingevolge die Wet op Rampbestuur, 2002, om, onder meer—

- (a) te voorkom dat die ramp vererger;
- (b) die uitwerking van die ramp te verlig, in bedwang te hou en te minimeer;
- (c) die felheid van die ramp te versag;
- (d) vinnig en doeltreffend op die ramp te reageer,

reik ek, kragtens artikel 41(2) van daardie Wet, die aanwysings in die Bylae hierby uit, wat handel oor beperkings op die gebruik van drinkwater vir huishoudelike en nywerheidsdoeleindes.

Die aanwysings sal van toepassing wees op die Kaapstad Metropolitaanse Munisipaliteit en alle distriks- en plaaslike munisipaliteite in die Wes-Kaap.

Geteken te Kaapstad op hierdie 18de dag van Augustus 2017.

H ZILLE
PREMIER

Medeonderteken deur:

A W BREDELL
PROVINSIALE MINISTER VAN PLAASLIKE REGERING, OMGEWINGSAKE EN ONTWIKKELINGSBEPLANNING

DATUM: 18 Augustus 2017

BYLAE

AANWYSINGS VIR DIE BEPALING VAN DIE BESKIKBAARHEID VAN GROOTMAAT- ONBEHANDELDE WATER EN DIE IMPLEMENTERING VAN BEPERKINGS OP DIE GEBRUIK VAN DRINKWATER VIR HUISHOUDELIKE EN NYWERHEIDSDOELEINDES

Omskrywing

1. In hierdie aanwysings het enige woord of uitdrukking waaraan 'n betekenis geheg is in die Wet daardie betekenis en, tensy dit uit die samehang anders blyk, beteken—
 - “**Departement**” die provinsiale departement verantwoordelik vir aangeleenthede rakende plaaslike regering in die Provinsie;
 - “**die Wet**” die Wet op Rampbestuur, 2002 (Wet 57 van 2002);
 - “**grootmaatrouwater**” die gekombineerde volume onbehandelde water afkomstig van alle waterbronne vir verskaffing aan 'n dorp of nedersetting in 'n munisipaliteit;
 - “**munisipaliteit**” 'n metropolitaanse, distriks- of plaaslike munisipaliteit in die Provinsie beskryf in artikel 155(1) van die Grondwet van die Republiek van Suid-Afrika, 1996, as onderskeidelik 'n kategorie A-, C- of B-munisipaliteit, en aangewys as 'n waterdienste-owerheid by artikel 1 van die Wet op Waterdienste, 1997 (Wet 108 of 1997);
 - “**Nasionale Waterwet, 1998**” die Nasionale Waterwet, 1998 (Wet 36 van 1998);
 - “**provinsiale ramptoestand**” 'n provinsiale ramptoestand verklaar onder Provinsiale Kennisgewing 112/2017 op 24 Mei 2017 as gevolg van die omvang en felheid van die droogte wat die Provinsie raak;
 - “**Provinsie**” die Provinsie Wes-Kaap;
 - “**snellerpunt**” die persentasie, volume, vloeitempo of hoogte, na gelang van die geval, van die grootmaatrouwaterbronne wat die implementering van waterbeperkings noodsaak;
 - “**Wet op Waterdienste, 1997**” die Wet op Waterdienste, 1997 (Wet 108 van 1997).

Toepassing

2. Hierdie aanwysings is van toepassing op alle munisipaliteite in die Provinsie vir die duur van die provinsiale ramptoestand soos verklaar, met inbegrip van enige verlengings daarvan ingevolge artikel 41(5)(c) van die Wet.

Assesserings deur munisipaliteite

3. (1) 'n Munisipaliteit moet, so gou as moontlik na die uitreiking van hierdie aanwysings, 'n evaluering doen vir elke dorp of nedersetting in sy munisipale gebied, of, indien water aan die munisipaliteit verskaf word deur 'n grootmaatwaterdiensverskaffer, vir alle dorpe en nedersettings in sy munisipale gebied, om die volgende te bepaal—
 - (a) die spesifieke punte van onttrekking, aangedui met koördinate en die verwysingsnaam van die bron, waar rouwater onttrek word vir die verskaffing van grootmaatrouwater aan 'n dorp of nedersetting;
 - (b) die totale opbrengs water uit elke waterbron, insluitend vloeihoogtes in riviere, opgaardamhoogtes en die grondwatertafel, waar van toepassing, vir die tydperk 1 Julie 2014 tot 30 Junie 2015, toe daar geen druk op waterbronne was nie;
 - (c) die huidige beskikbare volume grootmaatrouwater uit alle waterbronne, hetsy gemagtig kragtens die Nasionale Waterwet, 1998, al dan nie, bereken as 'n persentasie van die totale beskikbare water na inagneming van enige tekortkominge in die watervoorraad, insluitend meganiese en geleidingsinfrastruktuurbeperkings, waterbehandelingsbeperkings, waterverliese deur verspreiding en ander tekortkominge;
 - (d) die beskikbare voorraad drinkwater;
 - (e) die snellerpunt, en verbind dit met die verskillende persentasiereekse soos beoog in Kolom 2 van die Tabel om die waterbeperkings beoog in Kolom 1 van die Tabel en die waterverminderingsmikpunt soos beoog in Kolom 3 van die Tabel vas te stel;
 - (f) 'n geskikte verbruikingsmikpunt in megaliter per dag, soos beoog in Kolom 4 van die Tabel, waarteen die inkrementele wateraanvraag na grootmaatverskaffing in die stedelike gebiede van die munisipaliteit moet verminder, en bereken die dienoreenkomstige oorblywende weke van watervoorraad, soos beoog in Kolom 5 van die Tabel, deur die dienoreenkomstige volume en persentasie grootmaatwatervoorraadbekikbaarheid soos beoog in paragrafe (c) en (d) in aanmerking te neem;
 - (g) behoudens paragrafe (a) tot (f), die vlak waterbeperkings beoog in Kolom 1 van die Tabel wat in die munisipale gebied opgelê moet word, indien nodig.
 - (2) 'n Munisipaliteit moet die onderskeie volumes drinkwater wat verskaf is en die dienoreenkomstige daaglikse wateraanvraag vir elke maand vir die tydperk van 1 Julie 2014 tot 30 Junie 2015 as 'n basislyn gebruik waarteen waterbeperkings ingestel moet word.
 - (3) 'n Munisipaliteit moet, na die uitvoering van die evaluering beoog in subparagraaf (1)(a) tot (g) en nadat die inligting beoog in subparagraaf (2) opgeteken is, die Departement skriftelik in kennis stel van die uitslae van die evaluering, wat 'n afskrif van die berekeningsrekords moet bevat wat reflekteer hoe die uitslae bereik is en wat die vlak aandui waarvolgens die munisipaliteit beoog om waterbeperkings te implementeer in die huidige omstandighede van druk op die watervoorraad en moet aan die Departement die inligting verskaf wat soos beoog in subparagraaf (2) opgeteken is.
4. Die evaluering, insluitend die kennisgewing aan die Departement beoog in paragraaf 3(3), moet voltooi wees binne vyf werksdae vanaf die datum dat hierdie aanwysings in die Provinsiale Koerant gepubliseer is.
 5. Die Departement moet, binne vyf werksdae vanaf ontvangs van 'n evaluering beoog in paragraaf 3, die evaluering oorweeg en die munisipaliteit skriftelik in kennis stel—
 - (a) dat die Departement die voorgestelde vlak waterbeperkings ondersteun wat die munisipaliteit beoog om te implementeer, waar van toepassing; of
 - (b) dat die Departement nie die voorgestelde vlak waterbeperkings ondersteun nie en die munisipaliteit gelas om die vlak waarteen waterbeperkings in daardie munisipaliteit ingestel behoort te word, te implementeer, na oorlegpleging met daardie munisipaliteit.
 6. 'n Munisipaliteit moet die waterbeperkings binne vyf werksdae vanaf die datum van ontvangs van die kennisgewing beoog in paragraaf 5 implementeer.
 7. 'n Munisipaliteit moet, deur openbare kennisgewing of enige ander doeltreffende, regsgeldige wyse, die vlak waterbeperkings beoog in hierdie aanwysings aan verbruikers in sy munisipale gebied oordra asook die bereiking of niebereiking van verbruikingsmikpunte, en enige verandering in die vlak van beperkings.

Monitering

8. 'n Munisipaliteit moet gereeld die hoeveelheid grootmaatrouwater in sy verskaffingstelsels monitor om toe te sien dat die teikenverminderingpersentasie beoog in Kolom 3 van die Tabel bereik word, beskou teenoor die vlak beskikbare grootmaatrouwater beoog in Kolom 2.
9. Indien die beoogde verminderingpersentasie beoog in Kolom 3 nie bereik word binne twee maande vanaf die datum van implementering van 'n vlak waterbeperkings nie, moet die vlak waarteen waterbeperkings opgelê is binne sewe werksdae vanaf die datum van die einde van die tydperk bedoel in hierdie paragraaf na 'n vlak hoër verskerp word.

Verslagdoening deur munisipaliteite

10. 'n Munisipaliteit moet 'n maandelikse, skriftelike verslag aan die Departement verskaf wat handel oor die bereiking van mikpunte om waterverbruik te verminder.

Tabel

Neem kennis: Die inligting vervat in Kolomme 1 tot 3 mag nie gewysig word nie. Munisipaliteite moet die ooreenstemmende inligting in Kolomme 4 en 5 verskaf, soos bepaal in die evaluering.

Kolom 1	Kolom 2	Kolom 3	Kolom 4	Kolom 5
VLAK VAN WATERBEPERKINGS	SNELLERPUNT	PERSENTASIE-MIKPUNT VIR VERMINDERING VAN VERSKAFFING VAN EN AANVRAAG NA DRINKBARE WATER	TEIKENVERBUIK VAN DRINKWATER-VOORRAAD (UITGEDRUK AS MEGALITER PER DAG)	BEREKENDE GETAL OORBLYWENDE WEKE VAN GROOTMAAT-ROUWATER-VOORRAAD VIR ELKE DORP OF NEDERSETTING IN DIE MUNISIPALITEIT (UITGEDRUK AS WEKE)
Water-besparingsmaatreëls	Permanent 100% — 81%	Basislyn		
1 Matig	80% — 66%	0% — 10%		
2 Hoog	65% — 51%	10% — 20%		
3 Baie Hoog	50% — 36%	20% — 30%		
4 Kritiek	35% — 21%	30% — 40%		
5 Noodtoestand	< 20%	40% — 50%		

ISAZISO SEPHONDO

I.S. 158/2017

21 kweyeThupha 2017

**IOFISI YENKULUMBUSO YENTSHONA KOLONI
UMTHETHO IDISASTER MANAGEMENT ACT, 2002 (UMTHETHO 57 ka-2002)****IZIKHOKELO PHANTSI KWECANDELO 41(2)**

Ngomhla wama-24 kwinyanga kaCanzibe 2017, phantsi kweSaziso sePhondo 112/2017 esipapashwe kwiGazethi yePhondo 7771, isakhutshwa phantsi kwecandelo 41(1) lomthetho iDisaster Management Act, 2002, imeko yentlekele yephondo yabhengezwa ngenxa yobukhulu nokuqatsela kwembalela echaphazela iNtshona Koloni.

Ukhumbule ukuba uxanduva loRhulumente weNtshona Koloni ngokomthetho iDisaster Management Act, 2002, phakathi kwezinye izinto—

- (a) kukuthintela ukwanda kwentlekele;
- (b) kukudambisa, ukulawula nokunciphisa impembelelo yentlekele;
- (c) kukuthomalalisa ukuqatsela kwentlekele;
- (d) kukusabela ngokunesiphumo ngokukhawuleza kwintlekele,

phantsi kwecandelo 41(2) lalo Mthetho, ndikhupha, izikhokelo ezikule Shedyuli eziyongene nezinyino ekusetyenzisweni kwamanzi alungele ukuselwa esetyenziswela imisebenzi yasekhaya neyamashishini.

Izikhokelo ezi ziza kusebenza kuMasipala oMkhulu nakoomasipala bengingqi eNtshona Koloni.

Sityikitywe eKapa ngalo mhla we-18 kweyeThupha 2017.

H ZILLE**INKULUMBUSO**

Siqinisekiswe ngu-:

A W BREDELL**UMPHATHISWA WOORHULUMENTE BENDAWO, IMICIMBI YOKUSINGQONGILEYO NOCWANGCISO LOPHUHLISO**

UMHLA: 18 kweyeThupha 2017

ISHEDYULI**IZIKHOKELO ZOKUFUMANISA UBUKHO BAMANZI ENDALO ANGACOCWANGA NGEMICHIZA ANGACOCWANGA
NGEMICHIZA NOKUZALISEKISWA KWEZINYINO EKUSETYENZISWENI KWAMANZI ALUNGELE UKUSELWA
ASETYENZISELWA INJONGO YEMISEBENZI YASEKHAYA NEYAMASHISHINI****Iinkcazelo**

1. Kwezi zikhokelo, naliphi na igama okanye ibinzana elinikwe intsingiselo kuMthetho luhlala linaloo ntsingiselo ngaphandle kokuba umxholo weloo gama unenye intsingiselo—

“amanzi endalo angacocwanga ngemichiza angacocwanga ngemichiza” athetha umthamo ohlanganisiweyo wamanzi endalo angacocwanga ngemichiza angacocwanga ngemichiza asuka kuyo yonke imithombo yamanzi athunyelwa edolophini okanye kwindawo ekuhlalwa kuyo ngabantu kumasipala;

“ISebe” lithetha isebe lephondo elthwaliswe uxanduva lwemiba yorhulumente wengingqi kwiPhondo;

“umasipala” uthetha umasipala ombaxa kunye nowengingqi kwiPhondo njengoko kuchaziwe kwicandelo 155(1) loMgaqo-siseko weRiphabhlikhi yoMzantsi Afrika, 1996, njengomasipala wodidi A, udidi C okanye udidi B, ngokulandelelana, abanyulwe njengoogunyaziwe beenkonzo zamanzi phantsi kwecandelo 1 lomthetho iWater Services Act, 1997 (uMthetho 108 ka-1997);

“I-National Water Act, 1998” ithetha umthetho iNational Water Act, 1998 (uMthetho 36 ka-1998);

“IPhondo” lithetha iPhondo leNtshona Koloni;

“imeko yentlekele yephondo” ithetha imeko yentlekele yephondo ebhengezwe phantsi kweSaziso sePhondo 112/2017 ngomhla wama-24 kuCanzibe 2017 ngenxa yobukhulu nokuqatsela kwembalela echaphazela iNtshona Koloni;

“uMthetho” uthetha iDisaster Management Act, 2002 (uMthetho 57 ka-2002);

“ucutho lwamanzi” lithetha ipesenteji yonikezelo lwamanzi ngokomthamo, uqukuqelo okanye umgangatho wamanzi, ngendlela ekunokuba yiyo, lwamanzi endalo angacocwanga ngemichiza, oluvumela ukuzalisekiswa kwezinyino zamanzi;

“I-Water Services Act, 1997” ithetha umthetho iWater Services Act, 1997 (uMthetho 108 ka-1997).

Usetyenziso

2. Ezi zikhokelo zisebenza kubo bonke oomasipala kwiPhondo kangangexesha elimisiweyo lemeko yentlekele yephondo, kuquka nolwandiso lwayo ngokwecandelo 41(5)(c) loMthetho.

Uhlolo olwenziwa ngoomasipala

3. (1) Umasipala kufuneka, ngokukhawuleza emva kokukhupha ezi zikhokelo, ahlole idolophu okanye indawo ekuhlalwa kuyo kuloo masipala, okanye, ukuba umasipala unikwa amanzi amaninzi ngumboneleli ngeenkonzo zamanzi, kuzo zonke iidolophu neendawo ekuhlalwa kuzo kwingingqi yaloo masipala, ukufumanisa—
 - (a) iingongoma ezithile zothabatheko, eziboniswe ngolungelelaniso kunye negama leferensi yomthombo, apho kutsalwa khona amanzi endalo angacocwanga ngemichiza asiwa edolophini okanye kwindawo ekuhlalwa kuyo;
 - (b) onke amanzi afunyenweyo kumthombo wamanzi ngamnye kuquka nemigangatho yoququqelo lwamanzi emilanjani, imigangatho yamanzi agcinwe edameni, kumachibi, apho anokusetyenziswa khona, kangangexesha elisuka kumhla woku-1 kweyeKhala 2014 ukuya kumhla wama-30 kweyeSilimela 2015 apho kwakungekho xinzelelo lwamanzi;
 - (c) umthamo wamanzi endalo angacocwanga ngemichiza akhoyo kuyo yonke imithombo yamanzi, nokuba igunyazisiwe okanye ayigunyaziswanga phantsi komthetho iNational Water Act, 1998, obalwe njengepesenti yawo onke amanzi afunyenweyo emva kokuthathela ingqalelo nazo naziphi na izithintelo kuhanjiso lwamanzi, kuquka izinyino zezibonelelo ngokunjalo nezobuchule, izinyino zokucocwa kwamanzi, ukuphulukana namanzi kwindlela ahanjiswa ngayo nezinye izithintelo;
 - (d) umlinganiselo wamanzi anokuselwa akhoyo ukuze ahanjisewe;
 - (e) ucutho lwamanzi uze uwahlanganise nemilinganiselo eyahlukileyo yepesenti njengoko kuchaziwe kumhlathi 2 weTheyibhuli ukwenzela ukufumanisa umgangatho wezithintelo zamanzi ezichazwe kumhlathi qolo iqondo asibambe utshatise kwi ezahlukeneyo ipesenti zibe njengoko kuchatshazelwe kumhlathi 2 Uluhlu ngeenjongo Ukumisela inqanaba kwizithintelo njengoko kuchaziwe kumhlathi 1 weTheyibhuli kunye nokujoliswe kuko kokucuthwa kwamanzi njengoko kuchazwe kumhlathi 3 weTheyibhuli;
 - (f) kujoliswe ekunikezeleni ngamanzi ngokweemega litha ngosuku, njengoko kuchaziwe kumhlathi 4 weTheyibhuli, apho kunyanzelekileyo ukuba makucuthwe ukwandiswa kokunikezela ngamanzi amaninzi ngumasipala kwiingingqi zasezidolophini, kuze kubalwe iiveki ezishekileyo zokunikezelwa kwamanzi, njengoko kuchaziwe kumhlathi 5 weTheyibhuli ngokuqwalasela umthamo nepesenti yamanzi amaninzi akhoyo ekunokunikezelwa ngayo njengoko kufunyanisiwe kumhlathi (c) no-(d);
 - (g) ngokuxhomekeke kumhlathi (a) ukuya ku-(f), umgangatho ekubekwe kuwo unyino lwamanzi oluchazwe kumhlathi 1 weTheyibhuli kumele lunyanzelwe kwezo ngingqi, ukuba kuyimfuneko.
 - (2) Umasipala kufuneka abhale imithamo yamanzi lawo alungele ukuselwa anikezelweyo kunye nesidingo samihla le samanzi nyanga nganye kangexesha elisukela kumhla woku-1 kweyeKhala 2014 ukuya kowama-30 kweyeSilimela 2015 njengesiseko sokusungula izinyino zamanzi.
 - (3) Umasipala kufuneka, emva kokwenza uhlolo kumhlathana 1(a) ukuya ku-(g) nasemva kokubhala iinkcukacha kumhlathana (2), azise iSebe ngeziphumo zohlolo ngokulibhalela, ezimele ziquke ikopi yeerekhodi zobalo ezibonisa indlela ezifunyenwe ngayo iziphumo kwaye zibonise umgangatho ezijonge uku misela ngawo unyino lwamanzi phantsi kwale meko yangoku yoxinzelelo lwamanzi, kwaye anikezele ngeenkcukacha ezirekhodiweyo kumhlathana(2) kwiSebe.
4. Uhlolo, kuquka nokwazisa iSebe, oluchazwe kumhlathi 3(3) lumele lugqitywe kwiintsuku ezintlanu zokusebenza ukusukela ngomhla ekupapashwe ngawo ezi zikhokelo kwiGazethi yePhondo.
 5. ISebe kufuneka, kwiintsuku ezintlanu zokusebenza zokufumana uhlolo oluchazwe kumhlathi 3, lithathele ingqalelo uhlolo lize libhalele umasipala limazise—
 - (a) Ukuba liyasixhasa isindululo sonyino lomgangatho wamanzi umasipala anenjongo yokulumisela, apho kusebenza khona; okanye
 - (b) ukuba alisixhasi isindululo sonyino lomgangatho wamanzi lize liyalele umasipala ukuba umisele umgangatho ekumele kumiselwe ngawo unyino lwamanzi kuloo masipala, emva kokudibana nabanye oomasipala.
 6. Umasipala kufuneka amisele unyino lwamanzi kwiintsuku ezintlanu zokusebenza ukusukela ngomhla wokufumana isaziso esichazwe kumhlathi 5.
 7. Umasipala kufuneka, ngesaziso soluntu okanye nangayo nayiphi na enye indlela enefuthe esemthethweni, alichaze inqanaba lonyino oluchazwe zize zikhokelo kubasebenzisi abakwingingqi yakhe ngokunjalo nokuphonyelelwa nokungaphonyelelwa kobekujoliswe kuko, kunye nalo naluphi na utshintsho kwizinyino.

Ukubek' iliso

8. Umasipala kufuneka rhoqo abek' iliso kwisixa samanzi endalo angacocwanga ngemichiza akwiisistimu azisebenzayo zokuhambisa amanzi ukuqinisekisa ukuba uyafikelela kwipesenti ajolise kuyo yonyino lwamanzi echazwe kumhlathi 3 kwiTheyibhuli, kuxhomekeke kumgangatho wamanzi endalo angacocwanga ngemichiza akhoyo achazwe kumhlathi 2.
9. Ukuba akufikelelwa kwipesenti ekujoliswe kuyo echazwe kumhlathi 3 ngeexesha leenyanga ezimbini ubuncinane ukusukela ngomhla wokumisela komgangatho wonyino lwamanzi, kufuneka unyuswe umgangatho wonyino obelumiselwe ngaphambili kwiintsuku ezisixhenxe ukusukela ngomhla wokupheliswa kwexesha ekubhekiswa kulo kulo mhlathi.

Ukwenziwa kwengxelo ngoomasipala

10. Umasipala kufuneka anikezele ngembalelwano ingxelo yenyanga kwiSebe equbisana nempumelelo nokujoliswe kuko ngokubhekiselele ekuncitshisweni kokusetyenziswa kwamanzi.

Itheyibhuli

Qhaphela: iinkcukacha ezinikwe kumhlathi 1 ukuya ku-2 sisenokungalungiswa. Umasipala kufuneka anikezele ngeenkukacha zembalelwano ekumhlathi 4 no-5, njengoko kufunyanisiwe kuhlolo.

Umhlathi 1	Umhlathi 2	Umhlathi 3	Umhlathi 4	Umhlathi 5
UMGANGATHO WONYINO LWAMANZI	UCUTHO LWAMANZI	IPESENTI EKUJOLISWE KUYO YONYINO LOKUNIKEZELWA NEMFUNO YAMANZI ALUNGELE UKUSELWA	IPESENTI EKUJOLISWE KUYO YEMFUNO YOKUSETYENZISWA KWAMANZI ALUNGELE UKUSELWA (NGOKWEEMEGA LITHA NGOSUKU)	IIVEKI EZIBALIWEYO EZISHEKILEYO ZONIKEZELO LWAMANZI ENDALO ANGACOCWANGA NGEMICHIZA KWIDOLOPHU NGANYE OKANYE KWINDAWO EKUHLALA KUYO ABANTU KUMASIPALA LOWO (ECHAZWA NGOKWEEVEKI)
Imilinganiselo yokuSetyenziswa kwaManzi	Lusisigxina 100% — 81%	Isiseko		
1 Uphakathi	80% — 66%	0% — 10%		
2 Uphezulu	65% — 51%	10% — 20%		
3 Uphezulu kakhulu	50% — 36%	20% — 30%		
4 Uqatsele	35% — 21%	30% — 40%		
5 Ukwimeko yengxakeko	< 20%	40% — 50%		

