



Department : Water Affairs
and Forestry

Integrated Water Resources Management



**Institutional Roles and Linkages: Crocodile West - Marico WMA
Full Guideline**



DEPARTMENT OF WATER AFFAIRS AND FORESTRY

INTEGRATED WATER RESOURCES MANAGEMENT

**INSTITUTIONAL ROLES AND LINKAGES
SITUATIONAL ASSESSMENT: WMA3:
CROCODILE WEST AND MARICO**

INTEGRATED WATER RESOURCE MANAGEMENT
STRATEGIES, GUIDELINES AND PILOT IMPLEMENTATION
IN THREE WATER MANAGEMENT AREAS, SOUTH AFRICA

DANIDA
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SITUATIONAL ASSESSMENT: WMA3:
CROCODILE WEST AND MARICO

FUNDING AGENCY: DANIDA

CATEGORY: Situation Assessment

PURPOSE: To identify progress in the process toward the establishment of IWRM and to describe the current duties and functions of DWAF and other institutions in the Water Management Area with regards to the management of water resources.

TARGET GROUP: DWAF, IWRM Project Consultants and implementers in three water management areas.

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ENQUIRIES: Department of Water Affairs and Forestry
Private Bag X 313
Pretoria
0001
Republic of South Africa

Tel: (012) 336 7500 / +27 12 336 7500
Fax: (012) 323 0321 / +27 12 323 0321
Email: qma@dwaf.pwv.gov.za
Website: www.dwaf.gov.za

LIST OF ABBREVIATIONS

CBO	Community Based Organisation
CLC	Coordination and Liaison Committee (for CMA Establishment)
CMA	Catchment Management Agency
CMC	Catchment Management Committee
CMF	Catchment Management Forum
CMS	Catchment Management Strategy
DANIDA	Royal Danish Ministry of Foreign Affairs
DEAT	Department of Environmental Affairs and Tourism
DLA	Department of Land Affairs
DME	Department of Minerals and Energy
DOA	Department of Agriculture
DOH	Department of Health
DPLG	Department of Provincial and Local Government
DTI	Department of Trade and Industry
DWAF	Department of Water Affairs and Forestry
EMP	Environmental Management Plan
IDP	Integrated Development Plan
IGF	Intergovernmental Forum
IWRM	Integrated Water Resources Management
NEMA	National Environmental Management Act
NGO	Non-Governmental Organisation
NWA	National Water Act
NWRS	National Water Resources Strategy
SALGA	South African Local Government Association
WC/WDM	Water Conservation and Water Demand Management
WMA	Water Management Area
WMI	Water Management Institution
WSA	Water Services Authority
WSDP	Water Services Development Plan
WUA	Water User Association

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EXECUTIVE SUMMARY

The legislation governing management of water resources in South Africa has developed rapidly since the introduction of the country's democracy, which put emphasis on redressing past imbalances for water allocation and use. Principles of optimal use and environmental sustainability also form the cornerstones of this legislation. The Department of Water Affairs & Forestry (DWAF) and other support institutions therefore have an obligation to implement these policies, despite limited resource availability. This calls for collaborative structures to be put in place and processes and policies aligned so that they become complementary and effective.

This DWAF project, funded by the Royal Danish Ministry of Foreign Affairs (DANIDA), entails development of guidelines for institutional arrangements based on information collected from the three water Management Areas to be used as pilot implementation for Integrated Water Resources Management. The three areas are the Crocodile West & Marico, the Mvoti to Mzimkhulu, and the Oliphants-Doorn Water Management Areas. This report specifically focuses on the Crocodile West & Marico Water Management Area.

Initiatives already taking place in the three Water Management Areas in terms of establishment of Catchment Management Agencies were taken into consideration in the process. This report reflects, as far as possible, specific characteristics of the Crocodile West & Marico area in terms of available institutions, their geographic locations, policies governing them, their functions and relationships with other institutions.

The Crocodile West & Marico Water Management Area is one of the many water stressed catchments in South Africa. Surface water resources are used extensively, particularly in the Crocodile River catchment, with the main water users being agriculture, industry, mining and urban use. Agriculture accounts for about 33.5 % of total use and largely utilises privately owned dams and Government schemes. Rand Water, Magalies Water and the North West Water Authority supply most of the mining, industrial and domestic sectors from sources within the catchment and from the upper Vaal river system, which receives a significant amount of return flow from Tshwane. There are approximately 3,99 million people who live within the Water Management Area of which about 70 % live in urban areas and the remainder in rural areas. Economic activities revolve mainly around mining, agriculture and light industry.

Initiatives on institutional development and alignment have been ongoing, taking place at different levels and contexts, depending on the agenda and legislative imperatives in force. The main developments that are relevant to implementation of Integrated Water Resources Management in this Water Management Area are the establishment of new forums and revival of existing ones in support of the Catchment Management Agency establishment process and transformation of water services institutions. The South African Local Government Association (SALGA) has also taken a big stride in terms of involvement in water services in support of local government, including, presenting a position statement with regard to the relationship between local government and the CMA.

Many important lessons have been drawn over the past few years based on information sharing and initiatives taken by different players such as the current DWAF-DANIDA Integrated Water Resources Management project through its different work packages and training of catchment mentors and champions; interdepartmental environmental forum meetings; and alignment of the Department of Water Affairs & Forestry and Department of Provincial & Local Government around issues of support and transfer of assets to local government.

The Coordination and Liaison Committee (CLC), which is a body that coordinates all activities of the existing fora in this Water Management Area, has undertaken numerous tasks in relation to the Catchment Management Agency (CMA) establishment process, facilitation of stakeholder participation and in drafting of the proposal for establishment of the CMA. This committee has attracted stakeholders from various types of institutions providing it with a broad spectrum of expertise and knowledge base to address Integrated Water Resources Management issues. The skills and knowledge available is one of the unique characteristics of this Water Management Area, and is likely to continue to be utilised once the Catchment Management Agency is in place.

The Catchment Management Agency establishment process has been driven by the DWAF Regional Offices (Gauteng and North West) and the Coordination and Liaison Committee (CLC) with support from consultants. Nine catchment management forums were established as part of the process. Stakeholder participation, however, especially the previously disadvantaged individuals, was not adequate in many instances, which compromised the strength of the Catchment Management Agency establishment proposal.

The following were extracted from the Catchment Management Agency establishment proposal documents:

- ✧ *The members of the Coordination and Liaison Committee (CLC) have been exposed to the Situation Assessment and the Viability Study. The latter was discussed in detail at a special Coordination and Liaison Committee meeting on 22 June 2001.*
- ✧ *The Strategy and Planning Theme Teams (SPTT) discussed the Viability Study in August 2001, and its contents were agreed upon in principle.*
- ✧ *The first draft Proposal was discussed and modified at joint workshops of the Strategy and Planning Theme Teams and the Project Management Committee (PMC) in September 2001 and October 2001, respectively.*
- ✧ *The Strategy and Planning Theme Teams and the Project Management Committee approved the second draft Proposal on 13 November 2001.*
- ✧ *The revised Proposal (3rd draft) was presented to a full meeting of the Coordination and Liaison Committee on 19 November 2001. The principles and key recommendations were approved by the Coordination and Liaison Committee. This mandated the Strategy and Planning Theme Teams to work with the Project Management Committee to refine the Proposal in the light of the comments and subsequent comments from DWAF: Catchment Management.*
- ✧ *The Strategy and Planning Theme Teams and Project Management Committee (PMC) met on 14 April 2002 to confirm the final inputs to the Proposal.*

Despite issues raised, the regional office made attempts to communicate the need for co-operation with most provincial departments and local government structures. This communication was largely through written correspondence. An intensive marketing strategy and information dissemination mechanism needs to be put in place to take this further and popularise the Catchment Management Agency process.

It was also noted that consultants had a major role to play in the Catchment Management Agency establishment process. While this had advantages of efficient and timely delivery within tight schedules, the disadvantages appeared to be loss of control or ownership over the intellectual property by DWAF, which could weaken the support role that they could play in future. Interventions made through the DANIDA training of trainers, deployment of catchment champions and related programmes have given the process more meaning and legitimacy and the process now needs to be taken forward into practical action plans.

1 INTRODUCTION

The legislation governing management of water resources in South Africa has developed rapidly since the introduction of the country's democracy, which put emphasis on redressing past imbalances for water allocation and use. Principles of optimal use and environmental sustainability also form the cornerstones of this legislation. The Department of Water Affairs & Forestry and other support institutions therefore have an obligation to implement these policies, albeit, with limited resources available. This calls for collaborative structures to be put in place and processes and policies aligned so that they become complementary and efficient.

The Royal Danish Ministry of Foreign Affairs (DANIDA) supported DWAF in the development of guidelines for institutional arrangements based on information collected from three water management areas (WMAs) in South Africa, to be used as pilot implementation for IWRM. The three WMAs were the Crocodile West & Marico WMA, the Mvoti to Mzimkhulu WMA, and the Olifants- Doorn WMA. This report focuses on the Crocodile West & Marico WMA. The approaches followed differed from one WMA to the other owing to the distinct characteristics of these areas. The outcome of individual work done in the three areas will be put together to formulate a generic document for institutional roles and linkages for IWRM in South Africa.

Initiatives already taking place in the three WMAs in terms of establishment of Catchment Management Agencies were taken into consideration in the process. This report reflects, as far as possible, specific characteristics of available institutions in the Crocodile West & Marico WMA, their geographic locations, policies governing them, and their functions and relationships with other institutions. Information on land use and demographics is also covered to provide a complete description of the water management area. For the purpose of this project, an institution is defined as; an organisation whose policy and functions directly or indirectly relate to water services and/or water resources management. These include, relevant national, provincial and local government departments, water management institutions (WMI), NGOs, CBOs, industries, mines and facilitators.

2 BACKGROUND TO REPORT

The lead consultant (LC), Carl Bro, an international multi-disciplinary consultancy company with headquarters in Denmark, is currently implementing an Integrated Water Resources Management project in South Africa in association with the Department of Water Affairs and Forestry (DWAf). The Royal Danish Ministry of Foreign Affairs (DANIDA) funded the project, which is being piloted in three water management areas in South Africa, namely, the Crocodile-West and Marico WMA (Gauteng and NW Provinces), the Mvoti to Mzimkhulu WMA (KwaZulu-Natal Province) and the Oliphants-Doorn WMA (Western Cape / Northern Cape Provinces).

The purpose of this document is to:

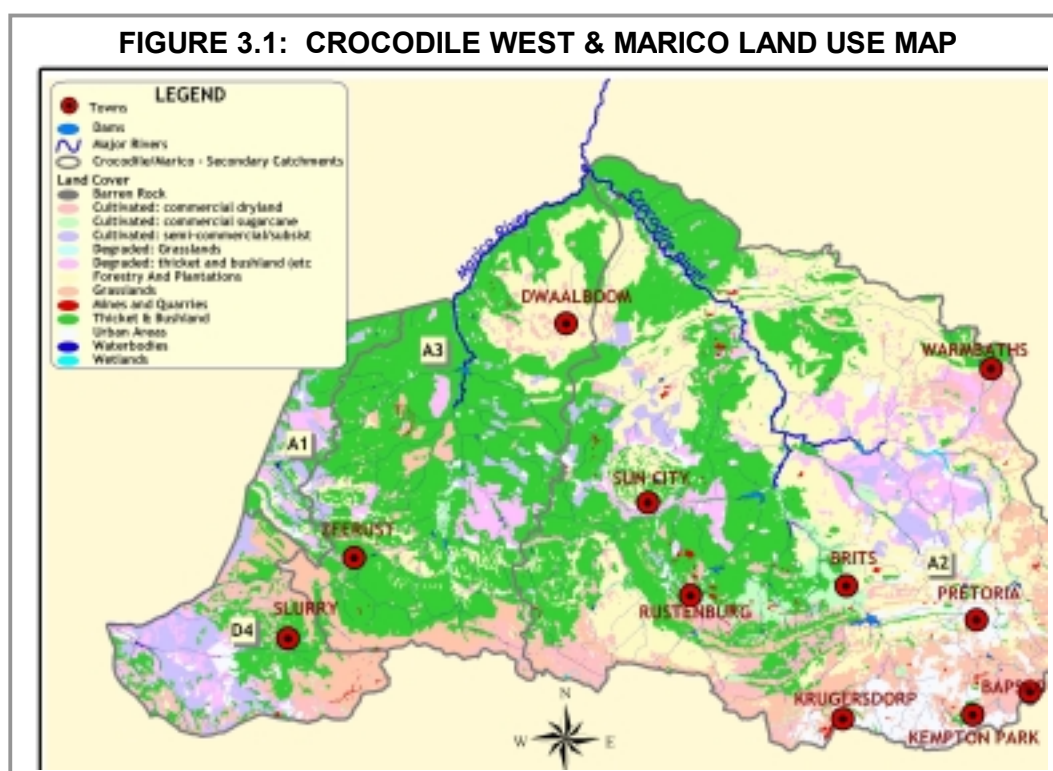
- ✧ Identify progress in the process toward the establishment of IWRM in the Crocodile West & Marico Water Management Area, and
- ✧ Describe the current duties and functions of DWAf and other water management institutions in the WMA with regards to the management of water resources.

3 STUDY AREA

The Crocodile West & Marico Water Management Area (WMA) is one of several water stressed catchments in South Africa. Surface water resources are used extensively, particularly in the Crocodile River catchment, with the main water users being agriculture, industry, mining and urban users. Agriculture accounts for about 33.5 % of total use and largely utilises privately owned dams and Government schemes. Rand Water, Magalies Water and North West Water Authority supply most of the mining, industrial and domestic sectors from sources within the catchment and from the upper Vaal river system, which receives a significant amount of return flows from Tshwane.

There are approximately 3,99 million people who live within the WMA of which about 70 % live in urban areas and the remainder in rural areas. Economic activities revolve mainly around mining, agriculture and light industry. The highly industrialised urban centres attract many migrant workers leading to a total shift in population dynamics. The other consequence is extensive urbanisation and high surface runoff due to changes in land use especially increases in impervious areas. These changes will ultimately have a bearing on provision of basic services and catchment management strategies e.g. increased water demand and pollution of fresh water resources.

The Crocodile West & Marico Water Management Area is defined by the following Catchments: Crocodile River, Marico River, South African portion of Ngotwane River and the Upper Molopo River. The area forms part of the Limpopo River basin, which spans four countries, namely. Botswana, Zimbabwe, South Africa and Mozambique. The area covers approximately 48 000 km² with the largest being the Crocodile River catchment (29 349 km²) followed by the Marico River catchment (12 049 km²). The remainder is covered by the Ngotwane River and Upper Molopo River catchments at approximately 5 000 km² and 1 800 km² respectively. Figure 3.1 shows the WMA boundary, tertiary catchments and the land use.



4 ENABLING LEGISLATION AND REGULATION

The South African Constitution is the supreme and the highest law of the country. It clearly sets out the functional areas for which each sphere of government is responsible.

The following functional areas relevant to water management are exclusive to the National Government: *Water resource management, minerals, land affairs and national parks*. Recent developments however, have shown a move towards taking many National Government functions to local level. Water resources management will be the responsibility of the CMAs, while water services functions will rest with the municipalities. The Department of Land Affairs in its White Paper on Institutional Arrangements, clearly points out that land affairs implementation should be at municipality level.

The functional areas of the Provincial Government relevant to water management are: *agriculture, environmental health, housing, nature conservation, pollution control, regional planning and development, urban and rural development and soil conservation*.

Local Government functional areas relevant to water management are: *municipal planning, storm water management, water and sanitation services - limited to potable water supply systems, domestic wastewater and sewage disposal systems - cleansing, refuse removal, refuse dumps management, solid waste disposal, municipal roads, building regulations, municipal parks and air pollution control*.

4.1 The National Water Act (Act 36 of 1998)

The National Water Act (NWA) outlines the framework for the utilisation, development and protection of the country's water resources. The Act provides for the establishment of institutions to ensure the implementation of integrated water resources management and to facilitate the involvement of stakeholders within water management areas.

4.2 The Water Services Act (Act 108 of 1997)

The Water Services Act (WSA) gives substance to constitutional requirements with respect to access, national norms and standards and the institutional framework for the provision of water services. This Act defines water services institutions as: a water services authority, a water services provider, a water board and a water services committee.

4.3 National Environmental Management Act (Act 108 of 1998)

The National Environmental Management Act governs the overall conservation and correct utilisation of natural resources. While the National Water Act provides for the conservation and utilisation of water resources, NEMA is concerned with the management of natural resources that could impact on catchment management. Water and land usage may not be in contradiction with NEMA.

4.4 Environment Conservation Act (Act 73 of 1989)

The Environment Conservation Act ensures that environmental effects are considered before decisions on developments and activities are taken. It promotes sustainable development, prohibits activities that will affect the environment negatively and ensures public involvement in development decision-making.

4.5 Municipal Structures Act (Act 107 of 1998)

This Act provides for functions and powers of municipalities and other local government structures, of which water services is one of many primary functions.

4.6 Municipal Systems Act (Act 32 of 2000)

The Municipal Systems Act gives effect to the country's vision of developing local government. It defines the core principles and the mechanisms and processes that are necessary to enable the municipalities to move progressively towards the social and economic upliftment of the communities and ensure universal access to quality services affordable to all. The most important sections in support of IWRM are those relating to integrated development planning, performance management, public participation and cooperative governance aspects.

4.7 White Paper for Institutional Arrangements, Land Affairs

The paper stresses the need for an integrated approach to land reform delivery, for a delivery system that includes a wide range of service providers, and for ongoing evaluation of the effectiveness of the measures taken. The principles are summarised as follows:

- ✧ Government where appropriate, must enter into partnership arrangements with the private sector, NGOs and community based organisations.
- ✧ Co-ordination of departments and levels of government, and sound working arrangements between national, provincial and local level administrations is fundamental to the success of the land policy.

4.8 Public Finance Management Act (Act 29 of 1999)

The purpose of the Act is to regulate financial management in national and provincial government, to secure transparency and accountability, to ensure that all revenue, expenditure, assets and liabilities of those governments are managed efficiently and effectively, to provide for the responsibilities of persons entrusted with financial management in those governments and to provide for matters connected therewith.

4.9 Labour Laws

It must be borne in mind that labour laws like in other designated organisations, will affect institutions involved in water management including CMAs. The Basic Conditions of employment Act aims to give effect and regulate the right to fair labour practices.

Provisions such as termination of employment and contracts of employment may be applicable in evolving and transforming organisations such as CMAs, DWAF, and local governments. The Employment Equity Act on the other hand aims to promote the constitutional right of equality and achieve a diverse workforce broadly representative of the people of South Africa.

4.10 Delegations of powers and duties in terms of the National Water Act, 1998

Section 63 of the National Water Act makes provision for the Minister of Water Affairs and Forestry to delegate powers and duties assigned to him/her in legislation to incumbents and future incumbents of senior water resources management posts in the civil services. These functions and posts are published and the minister reserves the right at any time to amend or withdraw any delegated power.

5. WATER RELATED INSTITUTION IN WMA3

It is important to note that the Crocodile West & Marico WMA is positioned in the economic heart of South Africa. This has a bearing on water requirements and associated waste discharges that may impact on the water resources. While a negative effect may prevail due to high economic activity, this may also imply that the CMA will generate adequate revenue from water resource management and waste discharge charges, to render it financially viable. This situation, however, may not be sustainable and therefore carefully planned demand management strategies are imperative.

The current situation indeed shows that the catchment is under water stress, which poses serious threats for future water needs and economic growth. Note that water resources availability and water use are discussed extensively in the DWAF Crocodile Marico Situation Assessment Report ¹. In view of potential problems around sustainability of the resource, it is important that efforts and systems of various institutions be integrated along the principles of co-operative governance.

Institutions that are key to integrated water resources management and their respective roles and functions are discussed below. (Responses have been poor in other sectors and/or information could not be gathered and therefore some of the institutions will not be discussed).

5.1 Water Users

The naturalised mean annual runoff in the Crocodile West & Marico WMA is about 804 million m³ per annum, with an exploitable groundwater resource of about 400 million m³ per annum. Table 5.1 indicates the sources and use of water in the Crocodile West & Marico WMA. Irrigated agriculture is the major water user in the WMA, requiring about 450 million m³ per annum, of which about 30 % is abstracted from groundwater. Urban domestic and industrial users require about 691 million m³ per annum, while bulk industrial users require about 130 million m³ per annum and mining requires about 140 million m³ per annum. A total of about 515 million m³ per annum of this urban, industrial and mining use is supplied directly from the Upper Vaal WMA, and to a minor extent the Olifants WMA. The urban, industrial and mining use contributes a little over 330 million m³ per annum through return flows. (DWAF, NWRS, 2002).

	WATER USE					REGISTRATION	
	Total	Surface	Ground	Import	Return	Register	Non economic
Municipal.	461				295		20 (BHN)
- From within WMA	(37)	18	13		(25)	31	6 (reuse)
- Transferred in	(424)			424	(270)		
Rural	70	25	41	3			20 (BHN)
- Domestic	(25)					25	
- Agricultural	(45)					25	
Bulk industry	10	8		2		8	
Mining	140	35	38	70	39	42	4 (reuse)
Commercial Irrigation	548	483	60	6	37	548	
- WUA/GWS	(203)					(203)	-
- Individual	(345)					(345)	-
Forestry	5	5				5	
Export (Limpopo)	2.9	2.9	-	-	N/A	2.9	-
International	7.7	7.7	-	-	N/A	N/A?	7.7
TOTAL	1 245	585	152	505	371	687	

TABLE 5.1: EXPECTED TOTAL AND REGISTERED WATER USE (MILLION M³ IN BASE YEAR 2001) ADAPTED FROM DWAF & CLC, PROPOSAL FOR ESTABLISHMENT OF A CMA

Rural users currently require about 70 million m³ per annum, of which only 25 million m³ per annum is for domestic consumption, with the remainder being for stock-watering and subsistence agriculture. Once the requirements of the ecological Reserve are met, the requirements will exceed the available water (including inter-WMA transfers, return flows and groundwater) in most of the sub-catchments in the WMA.

5.2 National Government Departments

The geographical location of the Crocodile West & Marico WMA possibly gives it an advantage over other WMAs, as relevant national government departments – which play a regulatory and policy setting role for controlling activities that impact on water resources (e.g. waste and land use) - are in close proximity to it. This being the case, such authorities, will be more inclined to influence implementation in the Crocodile West & Marico WMA than other WMAs. It was in fact noted that many government departments work closely with the Provincial departments and other organisations e.g. CBOs and NGOs on broader issues of environmental management and social services in this WMA. Some employees from DWAF Water Quality and Water Services Directorates are active in the forums and the Coordination and Liaison Committee (CLC) in their personal capacity. The Gauteng and the North West regional offices of DWAF though, are the key driving forces in ensuring continuing momentum of the forum and providing stakeholder support and guidance in the CMA establishment process. The idea of having catchment champions has helped in ensuring smooth flow of information and sustainability of the forums. Catchment champions comprise DWAF personnel assigned to specific forums over and above their specific jobs, and forum activities form part of their key performance areas (see sections 5.10.1 & 6.1).

The DWAF Regional Offices (ROs) have embarked on an extensive restructure process in line with the department's strategic transformation project focusing on water resources management and water services functions. The initial phase of the project was informed by the outcome of the project "Getting the Ducks in a Row" which set a vision for water resources management. Internal DWAF workshops and consultations led to proposed functions and structure of the regional offices as reflected in the Strategic Framework document "Laying the Golden Egg". The main proposed functions, which are also a reflection of the Strategic Framework for Water Services, are: Policy and Regulation and Regional Operations. The transformation will see the North West RO, Gauteng RO, Free State RO and the Northern Cape RO falling under one administrative unit referred to as the Central Regional Office Cluster⁵. This cluster will have six WMAs under its control (Crocodile West & Marico being one of them). It is intended that the Regional Office cluster harmonise implementation of policies and see through the institutional development and alignment processes for water resources and water services. The cluster will ultimately play a support and institutional oversight role for water management institutions and water services institutions.

This restructure process is critical in terms of building a solid foundation for the integration between water resources management and water services, noting that these functions will be driven by young institutions (CMAs and WSAs) with different policies and planning processes. The added advantage will be sharing of resources and competencies and extraction of important learning for institutional development from pilot WMAs such as the Crocodile West & Marico WMA, and rolling out the successful interventions to other WMAs. The proposed regulatory function should aim to engender value added approach in the operation of these institutions to ensure protection of water resources and delivery of social programmes within a framework for IWRM. With DWAF Regional Offices assuming their new role, plans should be such that the collaborative arrangements with other government departments e.g. DEAT (DAEA at provincial level), address the operational support issues to leverage the functions of the CMAs (e.g. management of wetlands).

The National Department of Agriculture co-ordinates the following activities with Provincial departments and other government departments:

- ❖ *Land care programme to promote sustainable management of natural resources (soil and water);*
- ❖ *Planning, designing and constructing key soil conservation works to protect, stabilise and rehabilitate degraded land;*
- ❖ *Promoting urban greening;*
- ❖ *Integrated rural development; and*
- ❖ *Integrated resource planning.*

Although there is interaction among different institutions, there appears to be gaps in information flow and systems that clearly define roles and responsibilities and possible institutional arrangements. Despite the disjointed nature of the system that links these institutions, the links need to be extended to the CMA to ensure efficient management of the water resources. This will require well-structured arrangements clearly defining roles and functions of respective institutions to avoid duplication and overlap.

Involvement of national government officials, either in their personal capacity or as their official duty, is an advantage, as the CLC receives more technical support in the CMA establishment process, although this also a function of the Regional Office. While having beneficial effects, care must be taken not to build other bureaucratic structures that will negate the intention of the National Water Act of decentralising management of water resources to a local level. More specifically, the environment for management of water resources must continue to be enabling and taken closer to people through their adequate representation and involvement.

5.3 Provincial Departments

Co-operative governance amongst the different administrative role-players will be critical to achieve the integration required for water resources management and sustainable provision of water services. This will allow CMAs to exert more meaningful influence over resource, protection, conservation, use, management and development, including the following possibilities:

- ✧ *CMAs bring a catchment perspective to the IDP spatial planning process co-ordinated by DPLG in IDP forums and undertaken by municipalities;*
- ✧ *CMAs align the licencing process with the EIA process from a catchment management perspective; and*
- ✧ *CMAs work with provincial government to draft an Environmental Implementation Plans, as a NEMA requirement.*

The requirement and procedures for cooperative environmental governance are specified in Chapter 3 of NEMA. All provincial governments are required to have an Environmental Implementation Plan, which provides a mechanism to coordinate and harmonize activities and functions that may affect the environment.

There are three Provincial legislatures within the WMA, viz. North West Province, Limpopo Province and Gauteng Province. This provides advantages in terms of capacity and resources for undertaking activities that will support the work of the CMA. As an example, the Gauteng Department of Agriculture, Conservation, Environment and Land Affairs involves communities in conservation and poverty alleviation programmes and has a special programme for “Women and the Environment”, including capacity building and job creation.

The department is also involved in the following programmes:

- ✧ *Biodiversity promotion.*
- ✧ *Monitoring and implementation of air and water pollution abatement laws through partnerships with relevant government departments.*
- ✧ *Assisting local and national government to establish appropriate water resource management systems.*
- ✧ *Industrial environmental management programme - promotion of cleaner production and waste minimisation.*
- ✧ *Hazardous and general waste management.*
- ✧ *Development and implementation of the Gauteng Province EMP.*
- ✧ *Environmental Information Management Systems, including GIS and open space project.*
- ✧ *Promote establishment of conservancies, biosphere reserves and other conservation initiatives that will preserve the natural habitat.*

- ✧ *Develop and implement National River Health programme for the province by working closely with local river forums and national authorities including DWAF.*
- ✧ *The department also works closely with DWAF Working for Water on projects for clearing of alien invasive weeds and creation of job opportunities.*

It is clear that this department performs many functions that are important for protection of water resources and indirectly related to the CMA functions. The department has since become involved in the forum and CMA establishment process. It was evident however that this department did not work closely with DWAF at functional level although most of its activities are around protection of water resources. The only link is through the Working for Water project and involvement in the provincial liaison committee.

The North West Department of Agriculture, Conservation and Environment performs similar functions to its Gauteng counterparts. Of note is their active involvement in the National River Health Programme. The department has professional staff trained in ecology and environmental management, which is a resource for the WMA. Two members from this department are active in the Molopo Forum and the CLC. While the two are a valuable resource for possible partnerships with the CMA, the drawback is that aquatic ecology skills lies only with them, such that if they leave, the river health programme and general bio-monitoring are likely to collapse within this department.

CASE BOX 5.1: NW DOLOMITIC AREA WRM STUDIES

Dolomite formations form the headwaters of the Crocodile, Lower Vaal and Middle Vaal Water Management Areas and are regarded as strategically important to the users in the surrounding areas. These resources sustain the flow of several springs, wetlands, and river channels, and are the lifeline of the ecology of these freshwater systems. There are several stressed catchments from which applications for licensing have been received. The available water resources, including groundwater resources, cannot meet all the water requirements of the users in these catchments.

In order to support the process of groundwater assessment and monitoring, the National and Regional (North West and Free State Regions) of DWAF have initiated a number of studies in the Zeerust, Grootfontein, Lichtenburg, Grootpan and Ventersdorp dolomitic areas. This includes, amongst others, but not limited to:

- ✧ *IUCN study on the Institutional Arrangements for Groundwater Management in Dolomitic Terrains;*
- ✧ *Aeromagnetic Survey to provide a preliminary delineation and mapping of the various compartments, lithography and zones of enhanced groundwater occurrence;*
- ✧ *Water Use Verification study;*
- ✧ *Zeerust Resource Assessment Study; and*
- ✧ *The Integrated Water Resources Management Studies (DANIDA Project).*

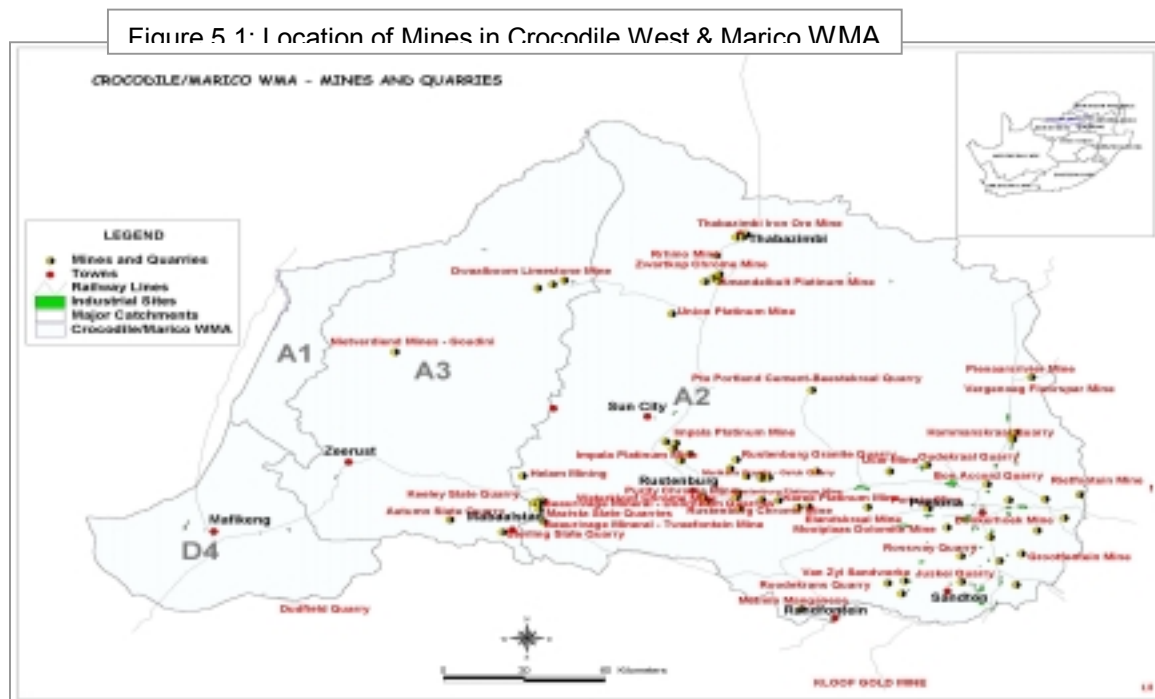
Generally provincial government departments operate within large jurisdictional areas. This requires their activities and budgets to be rationalised in order to make an impact on the ground. The CMA must utilise these links and become a central player in collaborative arrangements. Success of such arrangements can only take place if there is political will and a people-centred approach.

Although having regional offices, other functions that are important for integrated water resources management are run as national competencies - mainly policy development and support. These include functions performed by DWA, the Department of Minerals & Energy and Department of Land Affairs. Implementation is mainly at regional level, which should be the focal point of the CMA for establishing collaborative arrangements.

The Crocodile West & Marico WMA is one of the richest mineral centres in South Africa and, as such, mining activities are abundant (Figure 5.1).

The National Department of Minerals and Energy (DME) has overall responsibility for policy development and control of mining activities. With regard to control of processes generating waste, the functions of the department are to:

- ❖ *Develop and communicate guidelines for drawing up EMPRs for applicants and holders of permits.*
- ❖ *Authorisation of prospecting and mining of minerals.*
- ❖ *Approve EMPRs for effective rehabilitation of land disturbed due to mining activities.*
- ❖ *Issuing of closure certificates to release mines from further regulatory responsibilities concerning environmental management and conservation.*



The DME has a national office and nine regional offices, three of which operate within the Crocodile West & Marico WMA. The offices for different regions within the WMA are situated in Polokwane, Tshwane and Mafikeng. The DME's main focus has been encouraging economic development as a national imperative. The recent thrust has been in promoting small-scale mining as part of local economic development initiatives and poverty eradication through creation of jobs. Focus on economic development has compromised the department's role of enforcement of environmental laws especially in the Witwatersrand region. DWA Water Quality Directorate (HO) has picked up most of these functions through their Pollution Control unit.

The setback however is that DWAF personnel have insufficient resources to cover large areas, such that monitoring and enforcement become less effective.

In some cases other government departments such as the provincial department of Environment and Agriculture could be used to overcome problems of lack of resources by DWAF. The Mining sector is a big threat to water resources that needs proper co-ordination for enforcement activities. The CMA should form a nucleus for co-operation and perhaps use WUAs as extra capacity where possible.

Land affairs remain the competence of the national government whereas urban and rural development, regional planning and development, and support services essential for sustainable land reform are provincial responsibilities. The respective provincial offices within the WMA have the following responsibilities:

- ✧ *Planning and co-ordinating land reform programmes.*
- ✧ *Assisting in land restitution.*
- ✧ *Contracting service providers.*
- ✧ *Liasing with other departments and local authorities to secure development and support services.*

The Provincial Environmental Health departments in the three provinces work closely with the national office. The national office mainly formulates policy (e.g. regulations for water treatment chemicals), trains the provincial environmental health officers, and assists in designing the water quality monitoring programmes at provincial and local level. These spheres of governments exchange resources including their information. The Environmental Health sub-directorates have similar functions in the three provinces. This is through coordination by the national department. The following are their functions:

- ✧ *Development of policy, norms and standards for environmental health;*
- ✧ *Ensuring that basic environmental needs are met and that environmental factors unfavourable to health are minimised;*
- ✧ *Developing an environmental surveillance and evaluation system;*
- ✧ *Conducting river monitoring and assess public health risk;*
- ✧ *Developing and implementing sanitation policy in conjunction with DWAF and other role players.*

The Department of Health is now in a process of transformation. The provincial Environmental Health Officers will be transferred to District Municipalities (DMs) in line with section 84(1)(i) of the Municipal Structures Act. The Gauteng Province has made some progress in terms of preparation for this transformation. The National Health Department needs to facilitate the process and implement the transfer policies. Some provinces and DMs have not been in a position to do the preparatory work as guidance is awaited from the national office. This transformation process is important and will enable the DMs to be capacitated in terms of environmental health functions and enable them to support the CMA's water resource monitoring programmes and development of catchment management strategies.

Activities relating to housing lie with the directorate of Local Government and Housing in the three provinces.

The functions of the Limpopo Province are:

- ✧ *Coordination and promotion of integrated sustainable urban and rural development.*
- ✧ *Coordination of the development and maintenance of cadastral and topographic data in the established towns.*
- ✧ *Undertaking provincial spatial planning.*
- ✧ *Coordination of disaster management programmes.*
- ✧ *Monitoring the quality of municipal infrastructure development.*
- ✧ *Consultation with traditional leaders.*

TABLE 5.2: FUNCTIONS OF THE DEPARTMENT OF PROVINCIAL AND LOCAL GOVERNMENT

Governance and Development	Institutional Reform and Support	Support Services
<ul style="list-style-type: none"> ✧ Coordinate and implement a system of inter-governmental relations. ✧ Develop an integrated system of development planning for provincial and local government. ✧ Develop and promote a framework for development planning and local economic development. ✧ Develop and promote infrastructure implementation ✧ Develop infrastructure policy and framework for service partnerships. 	<ul style="list-style-type: none"> ✧ Coordinate disaster management & support, including, community awareness and capacity building strategies. ✧ Develop and implement institutional capacity building programmes. ✧ Develop and implement a performance management system appropriate to provincial and local government. ✧ Monitor municipal finance and management standards. 	<ul style="list-style-type: none"> ✧ Render financial management, provision and asset control. ✧ Provide human resources and legal services. ✧ Render information management support. ✧ Monitor and support implementation of legislation. ✧ Render an audit function.

In its plans, the North West Province undertakes to render sustainable and efficient urban and rural infrastructure and housing to communities. This further extends to:

- ✧ *The rural development programme, by providing service delivery infrastructure, e.g. access roads, electricity and water;*
- ✧ *Promotion of local rural economic development while eradicating poverty and empowering women;*
- ✧ *Development planning and infrastructure services using Consolidated Municipal Infrastructure Programme funding.*

The current projects are development of roads, bulk water supply, sewage treatment works and the recent "bucket removal system". The department advised that the bucket system exposed people to risk of air and waterborne diseases and lowered self worth. It was important to note that a sewage works was built without household connections made. This was in preparation for replacement of the bucket system.

The Department of Provincial and Local Government (DPLG) among other things, plays a role in creating a framework for water services provision.

This complements the activities of DWAF and gives support to local government structures, while simultaneously playing an oversight role. The department has 3 branches, namely, Governance & Development, Institutional Reform & Support, and Support Services. The specific functions of DPLG are outlined in Table 5.2.

CASE BOX 5.2: INTERDEPARTMENTAL ENVIRONMENTAL FORUM

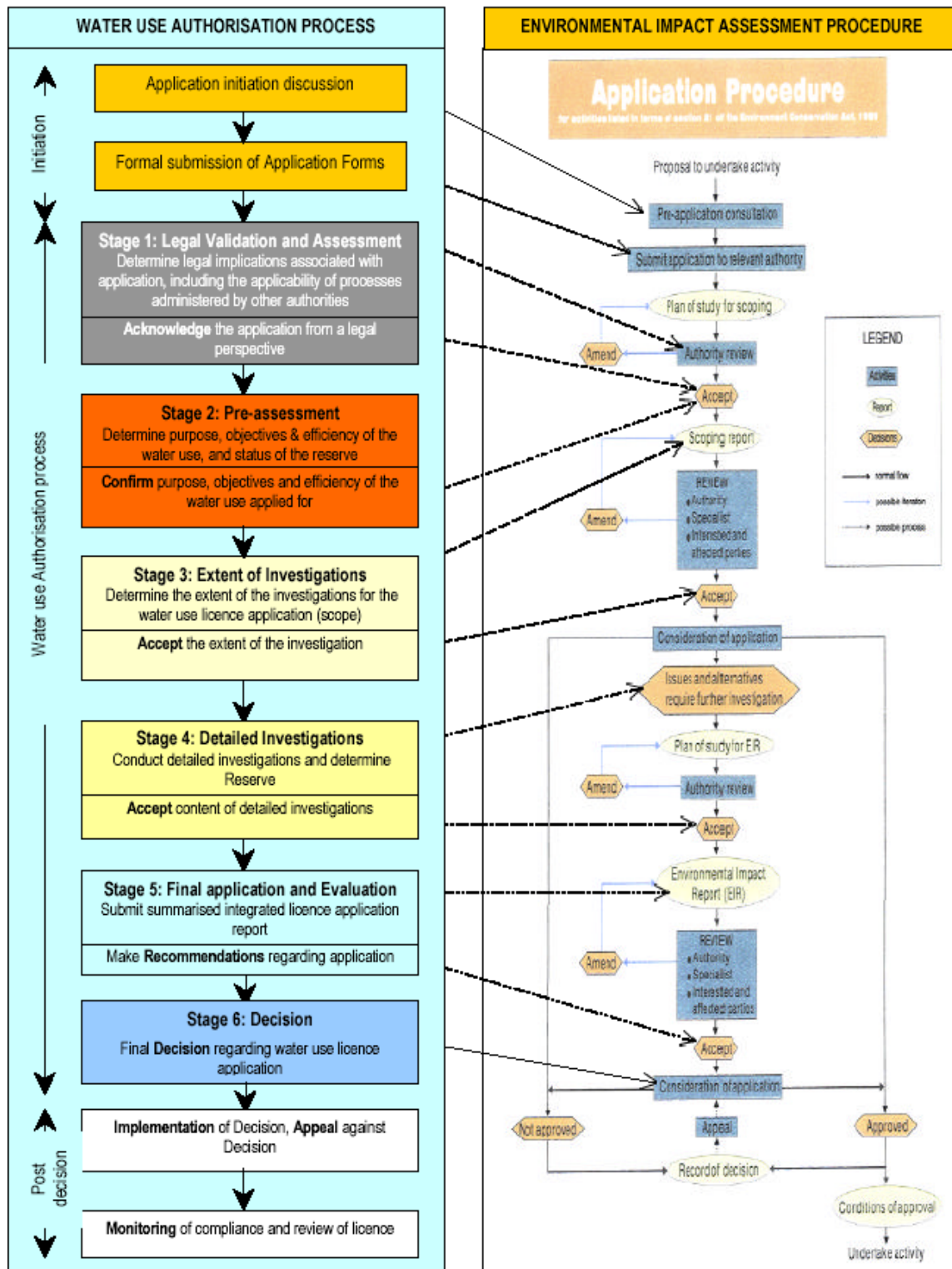
The forum brings together officials from the following provincial departments within the Free State, North West, Gauteng and the Northern Cape Province; DME, DWAF, DAEA, including the National Department of Agriculture. The objectives of this forum are to harmonise the interdepartmental administrative processes and streamline implementation to achieve the objectives of NEMA, Minerals and Petroleum Resources Development Act, NWA and other acts relating to regulation of natural resources.

The key focus has been around mining, as the sector is dominant within the four provinces and mining poses a major pollution threat. The complex nature of regulation of this sector through EMPRs, EIAs and water licensing processes led to DME calling for closer collaboration between the abovementioned departments. The move was to do away with the culture of throwing outputs of one department 'over the wall' without knowing what happens further down the line, including, a myriad of communication lines between consultants and individual department officials, leading to confusion.

The forum has so far arranged presentations to discuss each other's legislation, processes and links with other departments. They have also embarked on joint inspections of mines as part of the EMPR process and enforcement. In its presentation, DWAF used the process flowchart shown in Figure 5.2 - *adapted from DWAF publication "Water use authorisation process for individual applications, 2000* - to indicate the link between the EIA and licensing processes, as the administrative process to be followed.

Source: Minutes of the Interdepartmental Environmental Forum

FIGURE 5.2: HARMONISATION OF THE WATER USE AUTHORISATION PROCESS WITH THE EIA REGULATIONS



5.4 Local Government

Six District Councils and Sixteen Local municipalities have been identified within the Crocodile West & Marico WMA. Data were based on the new demarcation boundaries as presented by the Demarcation Board. Figure 5.3 shows the locality of these municipalities.

The following are the metropolitan councils as listed on the Demarcation Board database.

- (i) City of Johannesburg
- (ii) Tshwane Metropolitan
- (iii) Ekurhuleni Metro

TABLE 5.3: DISTRICT COUNCILS AND LOCAL MUNICIPALITIES

Waterberg DC	Central DC	Bojanala	West Rand DC	Metsweding DC
Thabazimbi	Ratlou	Rustenburg	Randfontein	Nokeng tsa Taemane
Modimolle	Ditsobotla	Moses Kotane	Mogale City	Kungwini
Bela-Bela	Mafikeng	Madibeng	-	-
-	Zeerust	Kgethengriver	-	-
-	Tswaing	Moretele	-	-

FIGURE 5.3: DISTRICT & LOCAL MUNICIPALITIES IN WMA3



These municipalities differ in size, population type, settlements, land use patterns and political structures. Four of the municipalities in the Limpopo Province and approximately eight in the North West have mostly large rural settlements and concomitant limited resources.

Among the existing Local Municipalities, Rustenburg, Nokeng tsa Taemane, Mogale City, Madibeng, Randfontein and Kungwini, are the more urban and well-resourced municipalities. Discussions with officials from some of these municipalities and review of minutes of previous meetings indicate that attendance at catchment management forum activities have been poor from these municipalities. The IWRM project Water Conservation and Demand Management team has done a lot of work with the Rustenburg Local Municipality. The outcomes of studies conducted with this municipality will be used as a model for Water Conservation and Demand Management.

The three Metropolitan Councils in the WMA enjoy a large income base from industrial rates and revenue collected from service provision. These Metros control various activities within their areas, many of which pose potential threats to the water resources. These include, wastewater treatment works, industry, formal housing, informal settlements, city cleansing, landfill sites, clinics, roads, stormwater drainage, parks and recreation, etc.

The City Health Division of Johannesburg Metro monitors discharges derived from water use and can prosecute the utility should it transgress by-laws. A Catchment Management - Environmental Management unit looks at stakeholder interests, overall land use practices, city catchment management strategies and information systems. Part of their objectives is to minimise pollution impacts to the Juskei River. The unit has attracted a United Nations fund for establishing city catchment management strategies and development of an information system to be used as pilot.

Officials of the Catchment Management - Environmental Management unit are members of the Juskei Forum. Their attendance at Coordination and Liaison Committee (CLC) meetings has been poor though. It appeared that there was confusion as to which institutions should attend the CMA establishment process. One official was under the impression that CMA and IWRM issues related to DWAF and those who have interest in national rivers only. It is clear that a communication problem exists between stakeholders or an assumption was made that all stakeholders are adequately informed and will therefore automatically participate in the CMA process and related activities.

Other officials from different departments in Johannesburg Metro, however, attend the Juskei Forum and the CLC meetings. This suggests that officials from the same institution do not communicate, and as a result may be ineffective players in the governance structures. This problem is common in many institutions and can be the cause of lack of participation in activities of large stakeholder bodies. Local government is a key stakeholder in IWRM and the CMA process and therefore should be specifically enlisted. This needs to also extend to councillors as they represent large constituencies whose needs must be catered for. It was noted that only two councillors from the North West attend the CLC meetings.

5.5 Creating the Framework for Water Services

Institutions active in creating the framework for water services include: -

- ✧ *Department of Water Affairs & Forestry*
- ✧ *Department of Provincial & Local Government*
- ✧ *Local government (WSAs)*

Whilst the Water Services Act legislates the municipal function of providing water services, the National Water Act (Act 36 of 1998) legislates how the resource is to be used, protected, developed and controlled. The National Water Act provides criteria for municipalities to obtain water sources and return their effluents and other wastewater back to the resource. The management of water resources and the provision of water services are therefore integrally linked. Water services development thus needs to be addressed within a strategic framework that embraces water resources management as part-and-parcel of environmental protection and sustainable development.

Department of Water Affairs and Forestry

Through the Water Services Act and the Strategic Framework for Water Services, DWAF bears the responsibility, as the National Regulator of water services, in cooperation with the Department of Provincial and Local Government, to:-

- ✧ *Set up a legislative framework;*
- ✧ *Gather information from water services authorities;*
- ✧ *Play an oversight role with regards to preparation of WSDPs;*
- ✧ *Monitor the performance of water services authorities.*
- ✧ *Take action (provide support) through necessary interventions.*

The section 78 assessment committee and the committee for transfer of assets to WSAs are good examples for collaboration and these could be extended to deal with integration between water resources management and water services.

The Water Services Directorate through its community water and sanitation supply programme (Masibambane) has been supporting implementation of rural water supply and sanitation programmes through the regional offices. Implementation has been at District Municipality level as well as Local Municipalities with WSA status.

Department of Provincial and Local Government

The Department of Provincial and Local Government is largely responsible for:

- ✧ *Facilitation of co-operative governance at local government level;*
- ✧ *Creation of an enabling environment for local government transformation and service delivery;*
- ✧ *Building the capacity of municipalities to deliver basic services.*

The department funds infrastructure development through the Municipal Infrastructure Grant.

The DWAF transformation process and consolidation of funding streams from the two departments is aimed at giving effect to an integrated approach for provision of water services and strengthening of the sector. The Central Cluster of DWAF (see section 5.2) is geared towards fulfilling this role.

South African Local Government Association

SALGA is a strategic partner for establishment of a framework for water services, which also brings a dimension of local government in terms of the Organised Local Government Act. Its key focus areas in water services are:

- ✧ *Water services policy and strategy development;*
- ✧ *Water services implementation alignment;*
- ✧ *Water services capacity in local government; and*
- ✧ *Water services information and planning.*

5.6 Water Services Institutions

Institutions active in providing water services:-

- ✧ *Water Services Authorities (Metropolitan, District and Local Municipalities).*
- ✧ *Water Services Providers (Local Municipalities, Water Boards, Water Services Intermediaries).*

Municipalities in Crocodile West & Marico WMA are faced with challenges of meeting RDP standards for water and sanitation provision. These municipalities have capacity problems and may even have more challenges in terms of implementing water demand management strategies.

The Bojanala District Municipality has the highest number of households (239 369) of all the all the District Municipalities (DMs) in the North West Province. 81 % have access to reticulated water, while 93 % have access to sanitation in accordance with minimum RDP standards. In this DM, all local municipalities have been authorised by the Minister in terms of sec 84(1) of the Municipal Structures Act to perform the WSA functions within their service areas. These also play the WSP role in their respective areas.

The Central District Municipality (DM) is the WSA in its area of jurisdiction, including service areas of each Local Municipality within the DM. The Local Municipalities that were performing potable water functions are to transfer staff and assets to the DM as per the transformation process and requirement in terms of sec 84(1). Of note, was the controversy around bulk water services in the Central DM's area of jurisdiction before 1 July 2003. The DM and Local Municipalities were proposing to take over all the bulk water services assets from the North West Water Supply Authority (NWWSA). The DM argued that bulk water infrastructure belonged to DWAF and therefore should be transferred to the DM as the responsible Water Services Authority in terms of the Water Services Act.

The DM further argued that its intention was to run the services in a cost effective and sustainable manner, which will ultimately benefit consumers. It is not clear how this controversy will unfold into the future. These issues are to be addressed by DWAF at high level through its water sector reform process.

If not properly handled, these problems may compromise the spirit of cooperative governance, which is a core pillar of integrated water resources management.

All Local Municipalities within the Waterberg DM have WSA status and therefore are responsible for performing the water and sanitation functions in their areas. The DM renders a partial potable water supply service. In many cases, the local municipalities provide these functions in urban areas, while farmers, DWAF or a water board provide for rural areas (Municipal Demarcation Board report, 2003).

Local municipalities within the Motsweding DM have been authorised to render the potable water function. The Kungwini Municipality does not reticulate water to farms within its area of service and commercial farmers in the area fill this gap. Magalies Water is the other water service provider within the Nokeng tsa Taemane service area.

With Johannesburg Metro, water services provision is run by an independent utility, Johannesburg Water that has subcontracted players such as Ondeo Services, Northumbrian Water Group and WSSA. The City wholly owns the utility, however. The utility is accountable to the City through a contract management arrangement, which is controlled by the Contract Management Unit reporting to the City manager. The challenges facing the utility when it took over were:

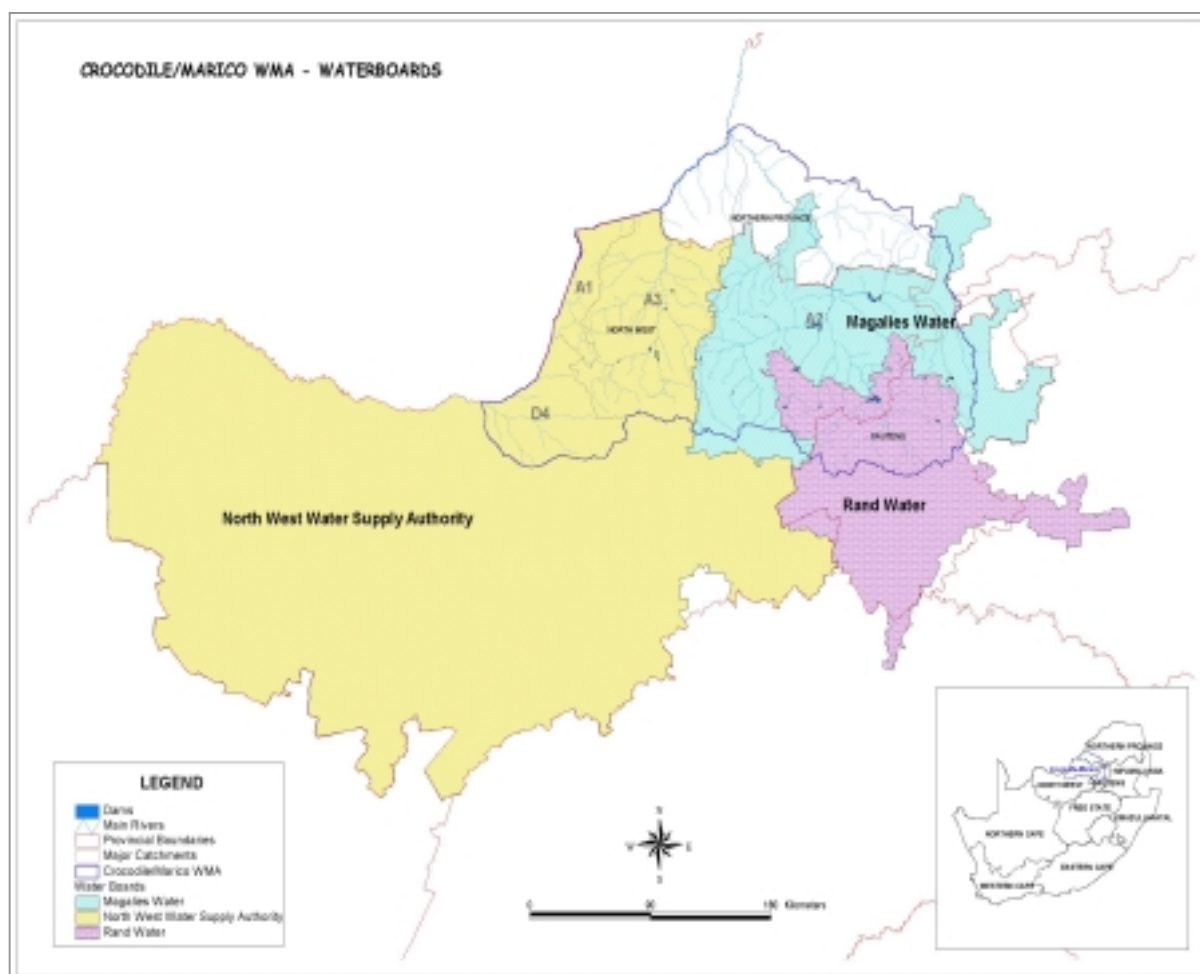
- ❖ *Forty percent (40 %) unaccounted for water;*
- ❖ *Limited capacity to attend to problems;*
- ❖ *Unacceptable environmental non-compliances.*

The transformation process at DWAF and future CMAs need to understand issues, planning systems, transformation and structures of Local Government so that the overall planning for water resources and water services could be dovetailed.

5.7 Water Boards

There are three Water Boards in the Water Management Area, namely, Rand Water, Magalies Water and North West Water Supply (Botshelo Water Board). Their operational areas are shown in Figure 5.4. The three have primary activities of bulk water services and also provide reticulation services in other areas on behalf of the Local Municipalities. Rand Water and Magalies Water are also involved in catchment management activities. Staff from Magalies participates in the CLC activities on a regular basis. Rand Water attends the Crocodile West & Marico initiatives for strategic reasons, but is mainly active in the Upper Vaal WMA.

These Water Boards are key stakeholders, as they are among the biggest water users and have extensive water quality monitoring programmes and information systems that can be shared with the CMA, either on a contractual basis or for mutual benefit. They also have resources and management tools, including, GIS, water resources planning and modelling programmes that are essential for effective management of water resources.

FIGURE 5.4: WATER BOARDS IN THE CROCODILE WEST & MARICO WMA

5.8 International Water Management Bodies

The Crocodile West & Marico WMA and part of Botswana form a section of the upper Limpopo drainage basin, which is a transboundary basin. South Africa and Botswana are obliged to cooperate with other states in terms of sharing and protection of the resource. While there is no formal treaty in this regard, negotiations have proceeded on the basis of equal sharing. The Limpopo Monitoring Study, a joint study with Botswana, Zimbabwe and Mozambique, was recently completed. The study was co-managed by an international steering committee as well as the Limpopo Basin Joint Permanent Technical Committee.

The Directorate of Water Resource Planning is represented in the Limpopo Basin Joint Permanent Technical Committee. This strategic relationship should be maintained to ensure that the CMA has representation at international level and to ensure that its policies are in line with international obligations. The nature of the relationship, however, needs to be commitment towards joint-beneficial use. In that case, an instrument such as memorandum of understanding can allow expressions of commitment and create an enabling mechanism for cooperative arrangements.

As previously indicated, the Crocodile West & Marico WMA is water stressed, requiring Water Conservation and Water Demand management strategies to be put in place for sustainability. Studies conducted by the DWAF Water Resources Planning directorate have shown that water wastage was a serious problem in this management area especially in the Marico catchment. This issue should therefore be on the priority list for the existing irrigation boards. The CMA and DWAF National Office on the other hand, should look into opportunities for water trading across boundaries as part of the SADC initiative for water conservation demand management. Virtual water is a good example, as the WMA has agriculture as the dominant land use. Such arrangements will also require involvement of the affected farmers unions, Agricultural Society of South Africa, Department of Agriculture, Department of Trade and Industry and the Treasury Department. Mozambique could be a suitable partner for such arrangements as it is a relatively water rich country.

DWAF entered into a tripartite agreement with the Department of Water Affairs of the erstwhile Republic of Bophuthatswana and the Department of Water Affairs of the Republic of Botswana relating to supply of water from the Molatedi Dam on the Marico River at Eertepoort. The purpose of the dam was for irrigation and drinking water supply and the, sharing quota, use, abstraction and operation of the scheme were defined in the contract. The parties established the Tswasa Operating Control Committee, consisting of six members, and was responsible for directing the operation of the scheme to achieve optimal use of water from the Molatedi Dam. The agreement was signed on the understanding that water shortages will be experienced in Southern Africa, requiring the need for equitable sharing of the resources, as a principle espoused in the philosophy of IWRM.

5.9 Water Users Associations (WUAs)

Water User Associations are recognised in terms of the National Water Act as Statutory bodies having delegated powers. They are an association of water users who operate at a local level and wish to conduct water related activities for their mutual benefit. There are no WUAs in the Crocodile West & Marico WMA at present. The existing Irrigation Boards are in the process of being transformed to WUAs. The few applications that have been submitted have not yet been processed.

There are twenty-seven Irrigation Boards and five government irrigation schemes that account for 53 % of the total water demand for the WMA. Of this, 90 % occurs in the Crocodile River catchment. Given the high stakes, it is inevitable that this sector plays a pivotal role in water conservation and demand management in the WMA.

The Irrigation Boards are currently involved in water management for irrigation and protection of the resource.

It is important to note that functions such as Water Conservation & Demand Management, and collection of user charges will be best suited to be performed by WUAs at a local scale, as they are organised groups with better understanding of their systems. It is mentioned in the statement of intent¹ that operating and maintenance responsibility for water resources infrastructure be transferred to them. It is advisable that industry and the mining sector be co-opted into these structures, to avoid sectoral domination in strategy formulation and implementation. This should be seen as opportunity since these sectors have common goals of growing the economy and creating employment through water use.

CASE BOX 5.3: CONFLICT MANAGEMENT – CMA PROCESS

In a CLC meeting held on 7 November 2001 at the Rustenburg Civic Centre, a stakeholder representing an irrigation board (name not recorded), indicated that: they have successfully curbed pollution from the mining activities and other sectors. He commented that the responsibility of establishing the CMA should lie with irrigation boards by virtue of being statutory bodies. He further stated that they were of an opinion that the CLC was overstepping its mandate.

The facilitator, Mr T Hart, explained the process of CMA establishment and that the CLC was functioning as a reference group that represented the interests of stakeholders of which WUA should be part of.

One can extract from this case that if stakeholders are not given a chance to raise their concerns and ideas, the reference group may miss the opportunity to clarify issues and deal with stumbling blocks, such that the CMA process may be derailed later down the line due to minor confusion on roles and responsibilities or power struggles.

5.10 Facilitators

Table 5.4 lists existing Catchment Management Forums and their profiles. Some may have lost momentum along the way but still undertake water resources management related projects on an ad hoc basis:

5.10.1 Catchment Management Forums

Catchment management forums are non-statutory organisations that bring together stakeholders and are the building blocks for the development of the CMA. When forums were first established in the Crocodile West & Marico WMA, a lot of them were driven by concerns over the deteriorating conditions of their catchments and water resources due to industrial and mine pollution, etc. A few interest groups constituted themselves and aligned themselves with DWAF initiatives and ultimately became active watchdogs and vehicles for cooperation on integrated water resources management. DWAF regional offices played a significant role in the establishment and operation of these forums. Consultants were hired to keep the forums active in support of the CMA process. A lot was achieved in terms of dealing with issues on the ground and development of a CMA establishment proposal. Along the way, the focus of some of these forums changed and some stakeholders were left behind. These forums ultimately lost momentum around 2001-2002 and were later revived by the DWAF catchment champions in 2003. Table 5.4 describes forums identified in Crocodile West & Marico WMA.

TABLE 5.4: FACILITATOR GROUPS IN THE CROCODILE WEST & MARICO WMA

Forum	Status and Issues
Crocodile Marico Coordination and Liaison Committee	Draws together diverse and extensive body of stakeholders. Each of the nine forums is represented Has theme team on strategy and planning Funding from DWAF.
Kwena Forum	-
Jukskei River Forum	Used to be an active forum, in operation for eight years until it lost momentum in 2002. Membership is inclusive and open. Has established a good network. Has the water quality, monitoring and communication theme teams.
Apies Pienaars River Forum	Was active until it lost momentum in 2002 Pretoria municipality is supportive Has the strategy, water quality, water quantity, communication and development theme teams.
Hennops River Forum	Active (recently revived by DWAF champions) Has terms of reference
Elands Forum	Terms of reference for the forum have been prepared. Magalies Water is involved. Mines are also keen to get involved. River health programme is one of the key plans Has a strategy and management, monitoring, environment and development theme teams.
Marico River Forum	Activities around groundwater and irrigation Some stakeholders have suggested a WUA.
Thabazimbi Forum	Pollution from Iscor is among issues of concern Has a water quality theme team
Molopo River Forum	Has water quality Working Group Water resources management Youth awareness programme
Magalies River Forum	Diverse stakeholders but predominantly commercial farmers with concerns around water charges and access
Hartebeespoort Water Action Group	Not a catchment management forum Relatively active, but have limited their concerns to the dam only. The action group was established to address algal problems in the dam. Local irrigators are a part of the forum. Wishes to apply for a WUA status

Source: DWAF, North West catchment champions.

These forums fall under an umbrella body called the Coordination and Liaison Committee (CLC), which mainly focuses on strategic issues in the WMA and provides support in terms of development of new forums and capacitating the existing ones. The executive committee of the CLC comprises chairpersons from different forums and other stakeholders elected according to their expertise and organisations they represent. The DWAF Regional Office and some members of the DWAF Head Office are represented in this body. Other stakeholders include Water Boards and Johannesburg Metro.

Current Status of Forums

Thabazimbi Forum

The Thabazimbi CMF has had one general meeting and four management meetings since its revival in July 2003. There are three business units in this forum, namely:

- ✧ **Water resource management** business unit: focusing on water quality and quantity monitoring and abstraction control;
- ✧ **Water services, planning and development** business unit: focusing on WSDPs, IDPs and EMPRs.
- ✧ **Community, communication and capacity building** business unit: focusing on community liaison, marketing of the forum and assisting with developmental issues and awareness creation

Outcome of management meeting of 10/02/04:

- ✧ Forum to be promoted at the Thabazimbi Game and Tourism Expo.
- ✧ Business units to develop respective aims and objectives and respective mission and vision statements. All units to also develop mechanisms for promoting and marketing the Thabazimbi Water Management Forum at the Game and Tourism Expo.
- ✧ Water is a priority in the Thabazimbi Local Municipality, thus the Thabazimbi forum was identified as a stakeholder to be represented in the IDP review Unit. Three persons were nominated to sit in on the IDP review session.

Molopo Forum

Molopo forum also has three business units.

- ✧ **Water resource management**
- ✧ **Community, communication and capacity building**
- ✧ **Water services planning and development.**

Three representatives from this forum have already been nominated for consideration for the advisory committee. Learners from different schools have been engaged in cleaning rivers and streams in the Molopo area. There is buy-in from different government departments, the municipality, Botshelo Water Board, tribal authorities and different community based organisations.

Marico Forum

There are three business units in this forum. All still have to formulate the aims and objectives and mission and vision statements of the units.

Workshops have been held with stakeholders on the CMA process, NWA and participants are aware of the ongoing Dolomite study in their area. Issues around water services are currently the burning issues in this forum.

Elands Forum

Three business units have been established within the forum and they are:

- ✧ *Catchment management and water quality monitoring business unit;*
- ✧ *Youth, extension, communication, awareness and capacity building business unit; and*
- ✧ *Strategy, management, financial and CMA establishment*

Two meetings have been held to date.

Magalies Forum

The forum has had one meeting to date. The stakeholders include farmers that have serious reservations regarding water pricing.

Committee for Forum Co-ordination (CFC)

The CFC provides a platform for DWAF officials to report back on different issues in their respective forums. The committee enables officials to share their experiences and assist each other with ideas to overcome certain difficulties in their respective forums.

Others

The other four forums listed have not had meetings in the past year. These are the Henopps, Jukskei, Apies Pienaars and Kwena forums.

5.10.2 Provincial Wetlands Fora

Provincial Wetland Fora play a critical role in promoting cooperative governance and networking amongst a diversity of key roleplayers. Most Provincial Wetland Fora have a formal constitution and meet regularly every few months. While the Fora vary according to their level of activity and nature of operation, they generally facilitate and provide a favourable environment for the following:

- ✧ *Networking amongst a diversity of role players, including government departments, user group representatives (e.g. forestry), universities and NGOs*
- ✧ *Information sharing amongst stakeholders*
- ✧ *Input to the prioritisation of wetlands for the purposes of rehabilitation*
- ✧ *Providing comment and input in the development of policy/planning*
- ✧ *Dealing with issues through appointment of task teams, as required (e.g. a task team for coordinating World Wetlands Day events)*
- ✧ *Clarifying the specific mandates of different organisations/groups (i.e. promoting co-operative governance)*

Based on the NWA definitions, wetlands are part of the water resources and therefore need to be incorporated into management responsibilities of the CMA. These fora provide an excellent opportunity to mainstream wetlands into catchment activities and therefore need drawn into structures of existing catchment management forums for support and sharing of the knowledge base.

Province	Coordinator	Contact
Gauteng	Jacob Mokhutsane	gp-wetlands@lantic.net
North West Province	Stuart Mangold	smangold@nwpg.org.za
Limpopo	Mick Angliss	anglissmk@finptb.norprov.gov.za

Government Agents

With the realisation of capacity problems and lack of resources, some government departments have entered into strategic partnerships with NGOs and companies in the public sector to enable them to offer efficient delivery of services.

The Department of Provincial and Local Government has links with institutions such as the Institute of Municipal Finance (IMFO) and Municipal Infrastructure Investment Unit (MIIU). IMFO is a professional body that protects and promotes the interests of municipal finance officers and the finances of local government in general.

MIIU is a Section 21 company established by the government to help municipalities find innovative solutions to critical problems with financing and management of essential services such as water supply, sanitation, waste, etc. It also plays a facilitation role for municipal services partnerships.

MIIU active projects in the WMA:

- ✧ *Thabazimbi solid waste.*
- ✧ *Pretoria West power station*

SALGA (general facilitator role)

SALGA plays a pivotal role in inter-governmental relations by co-ordinating activities of local government structures and other institutions, and is chaired by the Mayor of Thswane Metropolitan Council. SALGA works very closely with national departments, the Municipal Demarcation Board and the Independent Electoral Commission. It performs the following functions:

- ✧ *Organisation of Local Government transformation programmes;*
- ✧ *Training councillors and other Local Government officials to ensure efficient service delivery;*
- ✧ *Coordinating activities and represent Local Government in the National Council of Provinces;*
- ✧ *Contributing towards policy development;*

- ✧ *Facilitating local economic development and UN sustainable development (Agenda 21) programmes;*
- ✧ *Building capacity on disaster management, integrated development planning and environment and tourism;*
- ✧ *Researching cheaper and reliable technology to address basic services needs;*
- ✧ *Promoting gender equality in Local Government through its Gender Working Group.*

CASE BOX 5.4: HARTEBEESSPOORT DAM REMEDIATION CASE STUDY

Hartebeespoort Dam (HBPD) is located in the Crocodile River catchment, downstream of the confluence of the Crocodile with the Jukskei and Hennops Rivers that drains the eastern area of the catchment. Excessive nutrient loading, originating largely as point source (wastewater treatment works) discharges into the Jukskei River, have resulted in the dam being hypertrophic (i.e. excessively nutrient enriched) for several decades. A combination of nutrient availability and biophysical factors support sustained dominance by very dense aggregations of blue-green algae. This sustained dominance by this division of algae produces a characteristic suite of user-related problems that have been prevalent in HBPD since the early 1970s.

The HBPD remediation project, which brings together various role-players have been commissioned by DWAF. The project team comprises experts from private consulting firms with local support of the project activities being coordinated by the HBPD Water Action Group (HWAG). The project steering committee comprises DAEA, DWAF officials and members of the HWAG. The project scope includes:

1. Reduction of external nutrient (phosphorus) loading to the reservoir.
2. Management of in-lake nutrient availability (both from the water column and from phosphorus-rich sediments).
3. Relaxation of impaired food web structures that no longer support or provide natural resilience to the eutrophication process.

The case presents a classical example of institutional arrangements around finding sustainable solutions to water resources problems, which also have a bearing on water services (based on drinking water quality), recreational use and integrity of the aquatic resource. The success however will depend on commitment from stakeholders, sharing of information, involvement of relevant government departments, commitment and professionalism by service providers, and availability of resources (financial and human).

Source: Southern Waters Ecological Research and Consulting

5.10.3 NGOs and CBOs

NGOs and CBOs are important role payers in the implementation of IWRM. A list of relevant organisations in this category is given in Table 5.5 and Figure 5.5. The Environmental Justice Network Forum (EJNF) is one of the key institutions as it has many active organisations affiliated to it. Most of these are not listed in the table but can easily be reached through the EJNF offices in Mafikeng, Polokwane and Johannesburg.

SANGOG is another important link with NGOs and CBOs. Note that EJNF and SANGOG were reluctant to give details of their affiliates due to poor past experiences with development consultants. EJNF however expressed interest in playing a role in protection of water resources and institutional development.

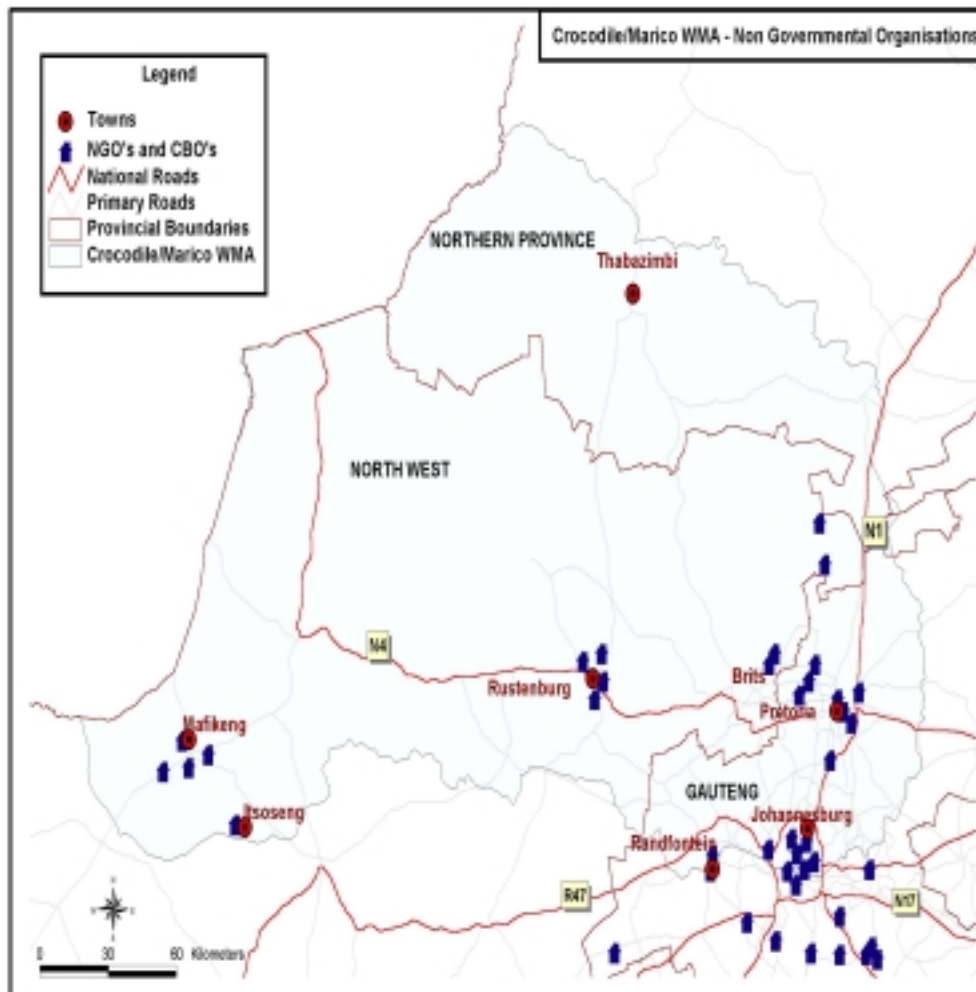
TABLE 5.5: NGOS AND CBOS IN THE CROCODILE WEST & MARICO WMA.

Organisation	Area	Functions
Earthlife Africa – Johannesburg	Johannesburg	Run theatre educational programmes for community capacity building and general awareness.
Group for Environmental Monitoring	Braamfontein	Environmental pressure group, monitor mines and industries, capacity building and catchment management services, water resources studies.
Alexandra Community Development and Service Agency	Bramely	Facilitate development programme and source funding for community projects.
Rural Development Services Network - Braamfontein	Braamfontein	Establish link between service providers and the rural folk including sourcing funding.
Mvula Trust	Braamfontein Polokwane Mafikeng	Develop water and sanitation policy, research on water and sanitation technology, implement water and sanitation projects in rural and peri-urban areas, capacity building within water services sector, develop WSDP for municipalities, health and hygiene promotion, run projects with DWAF, private sector and other departments.
Rural Women's Movement	Marshalltown	Run development programmes and capacity building for rural women. Source funding for development projects.
South African Traditional Healers Foundation	Johannesburg	A coordination body for traditional practitioners build capacity and awareness among its membership.

Organisation	Area	Functions
Environmental Justice Network Forum	Polokwane Mafikeng Johannesburg	An environmental pressure group, coordinating activities of various groups concerned with matters of environmental justice and sustainable development e.g. CBOs, civics, labour unions (COSATU & SAAMWU) and religious groups, participate in EIAs, pollution investigations and environmental policy issues.
Manele Mokopane Development Forum	Potgietersrust	Run community awareness programmes and establish link between service providers and communities.
Limpopo Province Women's Coalition	Polokwane	Empowerment of rural women through life skills training and small business development. Organise funding for development programmes.
Rural Women's Initiative	Polokwane	Organise and empower rural women on business skills and contemporary issues.
National Council of African Women	Potgietersrust	Empowerment of women and coordinate activities of other related CBOs and NGOs.
Association for Water and Rural Development	Acorhoek	Represent the interests of rural communities on development of water and sanitation schemes.
Institute for Farm Workers Research and Development	Polokwane	Protect the interest of farm workers including basic living conditions (e.g. access to shelter, water and sanitation).
Tlholeto Development Project	Rustenburg	Facilitate community development projects.
Mafikeng Action Programme	Mafikeng	A liaison group for community development and general awareness.
The Rural Action Committee	Mafikeng	Run community development programmes on small-scale farming, business and general issues.
Agisanang Development Forum	Temba	Working together with the community together on developmental issues and projects.

Figure 5.5 depicts CBOs and NGOs that could be identified or contacted within the WMA.

FIGURE 5.5: LOCATION OF CBOS AND NGOS



6. PROGRESS WITH INSTITUTIONAL DEVELOPMENT

Initiatives on institutional development and alignment have been an ongoing process, taking place at different levels and contexts, and driven by legislative and other imperatives. Some elaboration of institutions has been undertaken in Chapter 5. The main developments, which are relevant to implementation of IWRM in the Crocodile West & Marico WMA described in this Chapter are: the establishment of new forums and revival of existing ones in support of the CMA process, the CMA establishment process, and transformation of water services institutions including definition of powers and functions in accordance with section 84 of the Municipal Structures Act (also see Chapter 5).

The South African Association of Local Government (SALGA) has also taken a big stride in terms of involvement in water services in support of local government. (Also see Chapter 5). Many important lessons have been learned over the past few years based on information sharing and initiatives taken by different players. These include:

- ✧ The DANIDA IWRM project - through its different work packages and training of catchment mentors and champions;
- ✧ The restructuring of DWAF;
- ✧ Interdepartmental environmental meetings;
- ✧ Alignment of DWAF and DPLG around issues of support to and transfer of assets to local government; and
- ✧ Development of a sector strategic framework for water services, which links water services and water resources management.

The abovementioned developments have influenced the CMA process in WMA 3 directly or indirectly and details are discussed below.

6.1 The CMA Establishment Process

Table 6.1 provides a summary of progress regarding the CMA process. DWAF Gauteng and North West Regional Offices are now playing a bigger role in moving the process forward, including, building capacity in stakeholders.

The initial stages of the CMA establishment process in the Crocodile West & Marico WMA (process commenced in 2000) were fast-tracked such that some important steps that are mandatory in terms of the National Water Act were not adequately addressed. The Coordination and Liaison Committee (CLC), which is a body that coordinates all activities of the existing fora, has undertaken numerous tasks in relation to CMA establishment, facilitation of stakeholder participation and drafting of the CMA establishment proposal. It attracts stakeholders from various types of institutions giving it an advantage of a broad spectrum of expertise and knowledge to address IWRM related issues. The skills and knowledge available are some of the unique characteristics of this WMA, which could be utilised in the CMA once in place.

Nine catchment management forums were established as localised bodies with concerns around water resources in their areas, as part of the DWAF initiative for stakeholder involvement in management of water resources, and initiation of the CMA establishment process. See Chapter 5.

Activity	Action
Develop Description of WMA	<ul style="list-style-type: none"> ✓ NWRS ✓ Situation assessment (CMA process)
Develop demographic Profile of WMA	<ul style="list-style-type: none"> ✓ Census 2001 ✓ Demarcation process and Local Development Plans ✓ Sourced from existing GIS database
Identify land-use	<ul style="list-style-type: none"> ✓ Spatial data – DWAF GIS ✓ Situation assessment
Determine available water resources in WMA	<ul style="list-style-type: none"> ✓ DWAF ✓ National Water Resources Strategy
Identify stakeholders	<ul style="list-style-type: none"> ✓ Catchment Management Forums establishment process ✓ DWAF / DANIDA project.
Establish Water needs of stakeholders	<ul style="list-style-type: none"> ✓ DWAF
Prepare Water balance	<ul style="list-style-type: none"> ✓ DWAF
Classification of Rivers at Sub-Catchment Level	<ul style="list-style-type: none"> ✓ Rapid Determination at desktop level has taken place for all main rivers in the catchment.
Determine the social, economic and developmental needs of stakeholders	<ul style="list-style-type: none"> ✓ IDP process for district municipalities falling within the WMA (Water development issues addressed through the WSDPs). ✓ Conducted through the public works program at provincial level ✓ Part of the integrated rural development strategy and urban renewal strategy
Identify need for training/ capacity building of water services authority	<ul style="list-style-type: none"> ✓ Training on institutional development takes place
Determine International Responsibilities	Joint permanent technical committee established between SA, Botswana, Zimbabwe, and Mozambique based on the Limpopo river basin
INSTITUTIONAL ARRANGEMENTS	
Identify the roles and functions of non-statutory organisations in the WMA that have an interest in water	<ul style="list-style-type: none"> ✓ Process for preparation of CMA proposal ✓ DANIDA project – Institutional Roles & Linkages
Develop forums that are representative of the geographic, sectoral and socio-economic (community, race and gender) make-up in the catchment	<ul style="list-style-type: none"> ✓ CLC and forum activities in early stages of CMA establishment process ✓ DANIDA initiative and activities of DWAF forum champions
Identify the Water Services Providers in the catchment at the local, municipal and district level	<ul style="list-style-type: none"> ✓ Section 78 assessment in terms of Municipal Systems Act ✓ DWAF Water Services capacity assessment study
Identify Provincial and National Government Departments that have a stake in the management of water.	<ul style="list-style-type: none"> ✓ Institutions were identified and invited to forum and meetings to explain the CMA process and alignment with their activities ✓ Inter-departmental environmental forum ✓ DANIDA project – Institutional Roles & Linkages
Arrange and provide the support for regular meetings between stakeholders	<ul style="list-style-type: none"> ✓ The CLC was established in 2001 and held a series of stakeholder workshops in preparation of the proposal for establishment of the Crocodile West & Marico Catchment Management Agency. Gaps were identified in terms of stakeholder participation and this is to be addressed through projects driven by catchment champions.
Foster a climate of co-operative governance.	This is a legislated requirement and activities of the Inter-Governmental Environmental Forum present an opportunity for co-operation and collaboration on implementation of different policies and administrative processes.
Ensure information flow and capacity building by keeping forums, water-user associations and stakeholder committees informed and providing regular opportunity for information exchange.	<ul style="list-style-type: none"> ✓ Initial attempts were made by the CLC by using consultants. The process died of as funds dried out and that consultants and people who had the drive started pulling out. ✓ Training of catchment mentors and DWAF champions initiated the process for resuscitation of forums and information exchange
ESTABLISHING THE CMA:	The final draft of the proposal has been completed and submitted to DWAF. Gaps were identified in the proposal in terms of PDI involvement.

It is apparent from records that forums such as Appies Pienaars, Juskei and Kwena had enough capacity and skills that they were more or less run as business entities. A lot of useful water resources protection projects were conducted including formulation of business units and strategic plans. These forums played a key role in the CMA process through the CLC and provision of information for the situation assessment report. The shortfall was lack of prioritisation for stakeholder outreach programmes and gender mainstreaming. This shortfall was carried right through the CLC and the process of preparation of a proposal for CMA establishment.

In some forums, including those listed above, discussion of issues had to be repeated in consecutive meetings, as there was no consistency in stakeholder attendance and new stakeholders always joined when the process was far down the track. The majority of these forums lost the momentum in the process and hence left a void in terms of CMA establishment process. The following were some of the reasons cited for loss of forum momentum:

- ✧ There were no proper plans for engagement and communication with stakeholders and where plans existed, implementation was poor.
- ✧ Stakeholders lost the interest to devote time to forum activities, as there were no clear incentives for them to participate.
- ✧ The WMA was limited in terms of capacity to mobilise stakeholders and therefore there was great dependency on consultants. When the budget ran out, consultants could not continue to do work at risk and hence there were no drivers. This dependency had also taken away the opportunity to build capacity and passion for leadership among and staff from the DWAF regional offices.
- ✧ There were apparent differences in opinions among some influential stakeholders; such that some retracted and their withdrawal affected the stability and momentum of those forums.

Local government involvement was poor at the initial stages of the process, understandably so, as the sector was inundated with new legislative requirements and focused on alignment of planning and integration of systems in the light of new demarcation of municipal boundaries. It was also noted that attendance of officials from Local Government at forum and CLC meetings was not consistent and most attendees did not have a full mandate to make decisions on behalf of their municipalities. It was further noted that some officials were not reporting back to their organisations, which created a gap between municipalities and the reference group (CLC) and/or forums. These issues needed DWAF and CLC intervention through road shows, targeting municipal managers, mayors and municipal planning and water divisions.

While the CLC was rich with intellectual capital, it had problems with attracting sufficient representation of designated groups, especially rural African Women. The following were observed as some of the main issues that caused lack of participation from historically marginalized groups. (Inferences were also made from minutes of forum meetings):

- ✧ There were no adequate communication mechanisms in place to deal with information dissemination in rural areas and townships;
- ✧ Coordination with institutions that dealt with communities, e.g. traditional leaders, councillors, NGOs, other Government departments (e.g. Agriculture) and Civic Associations was not adequate;

- ✧ An enabling environment for stakeholder participation had not been sufficiently created, e.g. occasionally taking forum and CLC meetings to the local people as opposed to meeting in intimidating “state of the art” buildings (note that this could help stakeholders identify with and take ownership of the project, gain confidence in playing a meaningful role, and addressing the logistics themselves);
- ✧ In many cases, stakeholders would tend to support a particular initiative if they have something to benefit from it. It appeared that forums and CLC activities mainly focused on protection of water resources and institutional development. Little attention was put into capacity building, establishing links with job creation programmes and poverty alleviation especially in rural areas. The benefits and linkages between use and conservation of the environment were not shown. Resources from other institutions (e.g. department of Agriculture Landcare Programme and Working for Water) could be used for this purpose through collaboration;
- ✧ The forums attracted a lot of professional people who may be intimidating to historically marginalized individuals. Techniques for facilitation of social mix and diversity management therefore need to be applied;
- ✧ Several stakeholders in the CLC appeared to have built relationships around professions (water related fields) and experiences, and most may have found it difficult to see the need to involve other stakeholders, especially historically marginalized groups, who may not be articulate;
- ✧ There were limitations in resources which may have a negative effect on the outreach programmes;
- ✧ Some stakeholders could not absorb issues quick enough as the process was fast-tracked. This would also have compromised stakeholder capacity building initiatives.

Despite the problems highlighted above, there has to be acknowledgement that there were some attempts made to make the stakeholder bodies inclusive. It is also important to note that there were individuals who were committed to seeing a viable CMA established and expended much effort in driving the process.

These efforts therefore need to be commended. A special note needs to be made on the efforts that the CLC and other fora had established to capacitate and appoint black and women stakeholders into positions of significance. This was facilitated through formulation of business units with theme teams focusing on pressing issues in the catchment.

Examples were: the Strategy and Planning theme team (responsible for the CMA proposal development) within the CLC, which is chaired by a black individual; and Communications and Water Quality theme teams at fora levels some of which were chaired by black individuals and women. (Also make reference to the other theme teams listed under CLC and for a).

However, it must also be noted that the designated groups serving in these positions were largely middle-class professionals, and the issue of optimal participation of the most vulnerable stakeholders - the rural stakeholders – remained a gap. Amidst all these issues and problems, the CLC managed to pull together the initial draft of the CMA establishment proposal, while trying to address these problems along the way.

In February 2003 Regional DWAF officials were tasked with providing support to catchment management forums in their areas of operation and facilitating the CMA process as part of their catchment management key performance areas. This was to be achieved by, amongst other things:

- ✧ Ensuring public participation.
- ✧ Ensuring capacitated and informed stakeholders.
- ✧ Communicating through catchment forums to promote the value of the water resource.
- ✧ Promotion of water conservation and demand management.

However, there were still capacity problems in regional offices and consultants were therefore enlisted to provide support to DWAF personnel (catchment champions). Mthopong consultants were appointed to assist with the revival of the Elands and Thabazimbi forums. An employee of the North West regional office of DWAF was tasked with the revival of Marico and Molopo forums and later became the IWRM coordinator in Crocodile West & Marico WMA. At that stage, the other five forums were regarded as active and thus did not need to be revived (These latter fora were those that had more capacitated stakeholders).

An assessment was made that the only way forums were going to stay sustainable were for DWAF to play an active role therein. The DANIDA project on training of trainers addressed the skills gap in DWAF members of staff that were assigned the responsibility of being forum champions. Some stakeholders were also targeted and benefited from the programmes. The training programmes are summarised below:

- ✧ *Development of IWRM Champions:* The primary purpose of these proposed champions was to popularise DWAF's vision on IWRM and to build capacity amongst other members of the forums and the community at large. Courses included planning aspects in water resources management, IWRM and the water cycle, Communication and conflict resolution skills, Leadership and facilitation skills, Institution-related knowledge and Administration.
- ✧ *Project Cycle Management (PCM) for IWRM:* The aims of the programme were to provide the necessary skills to stakeholders in the WMA so that they could identify and develop projects that focused on water and poverty alleviation issues using relevant Participatory Developmental Project Cycle Management techniques.

The process yielded results, and manifested in the capacitated personnel, amongst other things, organising and arranging meetings and documenting outcomes. These initiatives are ongoing with the aim of bringing stakeholders to a level where they could participate meaningfully in the CMA establishment process, including playing influential roles within structures of the proposed CMA. As most of the stakeholders who had formed part of the previous management in forums were still interested in participating, and new stakeholders were identified, meetings were set up to also bring these on board.

The development of the CMA Proposal

A statement of intent was prepared giving an outline of the situation in the Water Management Area and the preliminary viability of the CMA. Subsequent to that, Situational Assessment and Financial Viability reports were prepared as a requirement of the National Water Act. The process was driven by the DWAF Regional Offices (Gauteng and North West) and the Coordination and Liaison Committee, with support from consultants. A series of stakeholder meetings was held - from forum level to the CLC - leading to preparation of the proposal.

CASE BOX 6.1: LESSONS LEARNT FROM THE INITIAL STAGES OF CMA ESTABLISHMENT PROCESS

- ✧ Sufficient preparatory work needs to be done by DWAF Regional Office personnel with support from Head Office on policy, planning, resources and mapping out of administrative processes.
- ✧ The region needs to have well drafted project roll out plans including communication and stakeholder engagement plans. A decision may need to be taken to outsource certain functions but capacity building of DWAF personnel and the sustainability of the project must not be compromised.
- ✧ Stakeholder engagement is a long and often complicated process and needs to be approached in a systematic and adaptive manner. The idea of training communities as mentors (see DANIDA approach) within active projects linked to improvement of their livelihoods while contributing to IWRM and the CMA process can result in increased participation.
- ✧ The CMA process should be aligned to existing DWAF guidelines and be implemented in the spirit of the NWA. Innovative ideas should, however, be adopted as means to optimise use of resources, increase participation and passion for forum work and make forums or reference groups focused and effective. Side tracking forums into income generating entities run on tight business principles without consideration for social imperatives of the institution and the proposed CMA may ultimately lead to shortfalls. A good balance needs to be struck. Issues that may crop up include who the beneficiaries are, who should be the office bearers, as well as issues of accountability and violation of applicable legislation.
- ✧ The principles of the stakeholder involvement process must be clearly understood and internalised before rushing into the rollout process to ensure that the process has impact and remains credible.

The following were extracted from the Catchment Management Agency establishment proposal documents:

- ✧ *The members of the Coordination and Liaison Committee (CLC) have been exposed to the Situation Assessment and the Viability Study. The latter was discussed in detail at a special Coordination and Liaison Committee meeting on 22 June 2001.*
- ✧ *The Strategy and Planning Theme Teams (SPTT) discussed the Viability Study in August 2001, and its contents were agreed upon in principle.*
- ✧ *The first draft Proposal was discussed and modified at joint workshops of the Strategy and Planning Theme Teams and the Project Management Committee (PMC) in September 2001 and October 2001, respectively.*
- ✧ *The Strategy and Planning Theme Teams and the Project Management Committee approved the second draft Proposal on 13 November 2001.*

- ✧ *The revised Proposal (3rd draft) was presented to a full meeting of the Coordination and Liaison Committee on 19 November 2001. The Coordination and Liaison Committee approved the principles and key recommendations. This mandated the Strategy and Planning Theme Teams to work with the Project Management Committee to refine the Proposal in the light of the comments and subsequent comments from DWAF: Catchment Management.*
- ✧ *The Strategy and Planning Theme Teams and Project Management Committee (PMC) met on 14 April 2002 to confirm the final inputs to the Proposal.*

Institutional Arrangement identified and reflected in the proposal

Cooperative governance relationships and partnerships with other non-statutory institutions are some of the more logical ways to make the CMA function optimally. The regional office has attempted to communicate the need for such cooperation with most Provincial Departments and Local Government structures. This communication has largely been through written correspondence. Poor participation from these institutions may be indicative of a communication breakdown or lack of follow up. An intensive marketing strategy and information dissemination mechanism needs to be put in place, early on in the process. There is little doubt that the provincial and local government structures are key stakeholders and their involvement needs to be seen as a business imperative for success of IWRM and not as simple arrangements when the need arises.

It has been acknowledged in the CMA development proposal that catchment management forums play a critical role during the networking stage for CMA establishment and therefore should be sustained to achieve the objective of participatory management. The proposal also reflects the fact that the CLC will have meaningful role to play in terms of co-ordination and support to forums. The institutional development process is illustrated in Figure 6.1, while Figure 6.2 illustrates the institutional arrangement as outlined in the CMA establishment proposal.

Institutional development experiences from WMA 3: Crocodile West & Marico

The CMA establishment process in WMA 3 was initiated formally in June 2001 with the CLC playing a key role in facilitation of stakeholder participation at forum level and administrative issues such as development of the situation assessment and financial viability reports, as well as the proposal document itself. The proposed future role of the CLC would be co-ordination and assumption of CMC responsibilities.

The process being followed includes:

- ✧ Development of a proposal to establish the CMA (September 2001)
- ✧ Workshop proposal document with Theme Teams (October 2001)
- ✧ Revised document presented at a full CLC meeting (November 2001)
- ✧ Draft proposal submitted to Directorate Catchment Management.
- ✧ Submission to Minister of Water Affairs & Forestry (early 2002)
- ✧ Establishment of Advisory Committee to advise Minister re: CMA Governing Board.

FIGURE 6.1: INSTITUTIONAL DEVELOPMENT COORDINATION RESPONSIBILITIES OF CATCHMENT MANAGEMENT AGENCY WITH OTHER ORGANISATIONS

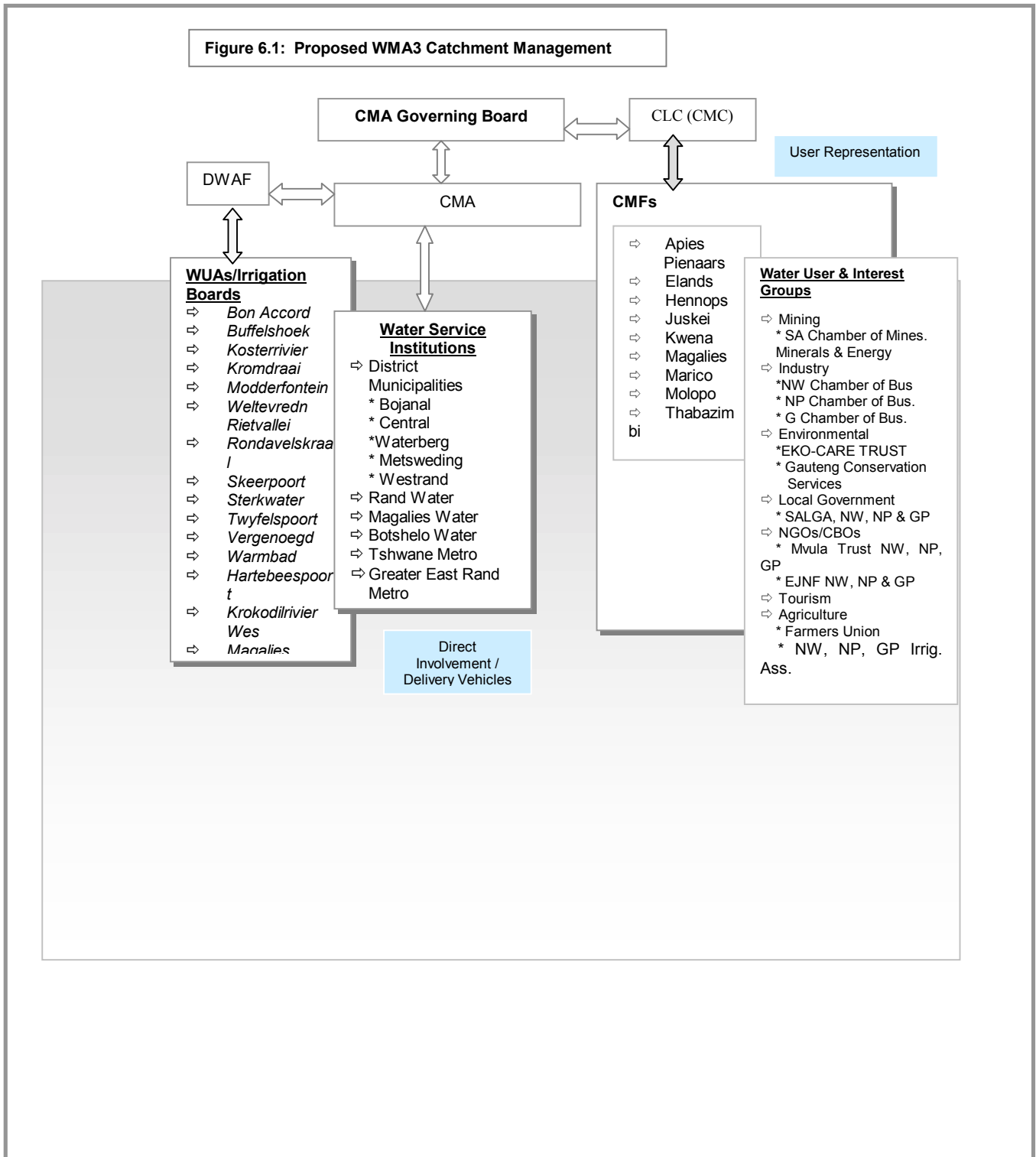
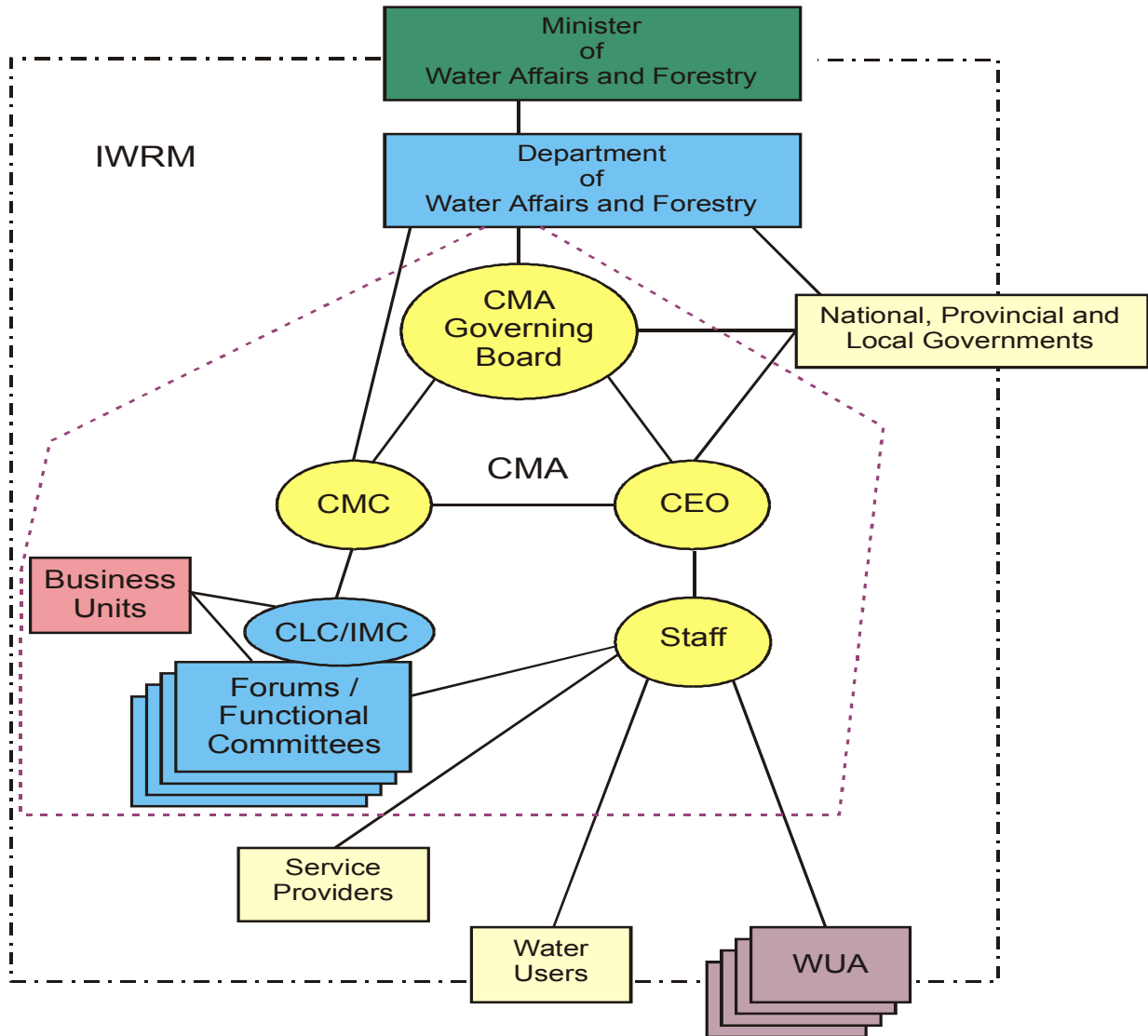


FIGURE 6.2: PROPOSED INSTITUTIONAL ARRANGEMENTS AS PER CMA ESTABLISHMENT PROPOSAL



6.2 Comments Extracted from Stakeholders Meetings

- ✧ Will the CMA have the legal power to stop pollution?
- ✧ In defining institutional roles and relationships and establishment of linkages, people must be put first.
- ✧ The primary output in institutional development should be satisfying people's needs and not the CMA.
- ✧ The CMA establishment process needs to slow down to see if people issues have been addressed.
- ✧ Politicians must roll up their sleeves, get involved, and must invest money into programmes for protection of water resources and meeting the needs of the people (the process will not be successful without political commitment).
- ✧ Indigenous wisdom must be used in development and implementation of catchment management strategies.
- ✧ It may be practical to build small functional groups (CMF level) to address local problems and issues, instead of focusing on big institutions like CMAs, which may be too expensive to fund and not very effective on the ground.
- ✧ Different interpretation of policies may be a barrier to collaborative arrangements i.e. some institutions may not understand how the policy affects them and therefore not see the need to be involved in, for example, the CMA establishment process and forum initiatives. (E.g. when JHB Metro was visited, two women from their catchment management/environment unit said they were under the impression that the CMA development process was something that had to do with DWAF and other people like farmers. This is due to lack of information/misunderstanding pointing to a communication problem. Note that the two attended meetings of the Juskei Forum).
- ✧ On the issue of stakeholder participation, there has to be a balance between inclusiveness and impact (this suggests that stakeholders should not be involved for the sake of numbers but the input they could make. Capacity building programmes must be effected to ensure that there is active stakeholder participation).
- ✧ If mutual benefit does not exist, someone has to take the responsibility unless in a case where statutory obligation exists. In a case of capacity building, DWAF has to take the responsibility if there is no one to carry this forward.
- ✧ Institutions must not consider issues from purely an economic perspective, but in terms of sustainability (social, environmental & financial etc.)
- ✧ There is a need to give a "what if assessment" and then build institutions or form linkages around that. (Essentially this says, institutions should not be built because the legislation says they have to, or linkages established because it is good to establish them, without looking at the value of such linkages or the benefit derived from them).

- ✧ Where possible, secondment must be effected as opposed to building new empires.
- ✧ The CMA must avoid voluntary participation on core functions. When relationships break, big gaps will be created which may cause a total collapse of the institution.
- ✧ The model (guidelines) for institutional arrangements must be congruent with the proposed structures put forward by the CLC in the CMA proposal document.

7 CONCLUDING REMARK

The Crocodile West & Marico WMA is essentially a water stressed catchment and, as such, requires strict regulatory measures for water use. Adding to the challenges of water management is the international obligation for equitable sharing of the resource in the Limpopo River Basin. Successful management of the resources requires policies and legislation to be harmonised in all spheres of government, commitment from civil society and institutions that have the capacity to implement the relevant policies.

One of the major shortfalls of institutional development in this WMA has been the lack of wider stakeholder participation. Important stakeholders such as rural stakeholders, traditional leaders, and other government sectors were not part of the CMA process. Of note was the lack of participation by black rural women despite the efforts (capacity building programmes) that the CLC had put in place.

The CMA establishment process and forum activities have not received much support from local government and other government departments at provincial and national level. It was also noted that consultants had a major role to play in the CMA establishment process. While this had advantages of efficient and timeous delivery within tight schedules, the disadvantages appeared to be loss of control or ownership over the intellectual property by DWAF, which could weaken the support role that they could play in future.

Interventions made through the DANIDA training of trainers and related programmes have given the process more meaning and legitimacy and the process now needs to be taken forward into practical action plans.

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