

W Cape gets tough on enforcing water restriction laws

The Department of Water and Sanitation in the Western Cape is rolling out phase two of the enforcement and monitoring blitz as part of drought interventions.



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The department held a meeting on Monday, 19 February 2018, with different stakeholders, who have an interest in the protection of water sources and supply.

The departments and government entities that are part of this phase two of the blitz include the National Prosecuting Authority (NPA), Western Cape Liquor Authority, Department of Environmental Affairs, Development and Planning and the Breede-Gouritz Catchment Water Management (BGCMA).

The second phase will focus more on the Breede-Overberg Catchment Areas, as well as the Berg-Olifants Water Management areas for wineries.

The Director of Regulations at Water and Sanitation in the Western Cape, Boniswa Hene, said during this operation, the department will focus on compliance with restrictions, installation of water meters, effluent standards, as well as discharge.

“Other organs of state will focus on the Basic Conditions of Employment Act, Occupational Health and Safety, Employment Equity Act, the validity of licenses for manufacturing and distribution of liquor by the wineries. The NPA will prioritise all the contraventions [identified] during the blitz.

“The department is broadening the intervention to involve other departments in a bid to emphasise that all users must comply with the restrictions. The department will also focus on the quantity of water abstracted and the quality of water being discharged by the sector into the rivers and the environment,” Hene said.

The current restrictions state that the water users are required to install electronic metering devices and submit their readings on a weekly basis. Phase one of the enforcement blitz discovered some non-compliant activities.

Working with different municipalities, Hene said the department will also put emphasis on the illegal abstraction and selling of surface and ground water in 1,000 litre tanks for the filling up of swimming pools and construction sites.

Water trading without authorisation prohibited

Section 22 of the Water Services Act prohibits the transaction of water without authorisation/nomination as a water services intermediary by the relevant Water Services Authority.

Hene warned that users who are trading with water from their private boreholes without authorisation are in contravention of the National Water Act and may be prosecuted.

She said in some instances, people trade with water under the pretext of charging for transportation of water, not the actual selling of the water.

“Some municipalities have by-laws prohibiting the transportation of water. This is one of the activities the team will focus on. The Western Cape Environmental Crime Forum, chaired by Advocate Collopy, has indicated that the NPA intends to prioritise all water cases,” Hene said.

The enforcement and monitoring blitz is also a means of verifying lawful water access while ensuring that water users adhere to current water restrictions gazetted and published recently.

This activity forms part of national government’s initiatives to support the Western Cape to ensure that taps do not run dry.

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