

DEPARTMENT OF WATER AND SANITATION

NO. 5554

15 November 2024

NATIONAL WATER ACT, 1998

PROPOSED RESERVE DETERMINATION FOR WATER RESOURCES OF THE BERG CATCHMENT IN THE BERG-OLIFANTS WATER MANAGEMENT AREA

I, Pemmy Castelina Pamela Majodina, Minister of Water and Sanitation, in terms of section 16(3) of the National Water Act, 1998 (Act No. 36 of 1998) hereby publish, for public comment the proposed determination of the Reserve for water resources for the Berg catchment in the Berg-Olifants Water Management Area, as set out in the Schedule.

Any person who wishes to submit comments on the proposed Reserve determination must submit comments in writing within 60 days from the date of publication of this Notice by:

- (a) posting such comments to the following address:
Department of Water and Sanitation
Director: Reserve Determination', Attention: Mr Yakeen Atwaru
Ndinaye House
Private Bag X313
PRETORIA
0001;

OR

- (b) hand delivering such comments to the following address:
Department of Water and Sanitation
Director: Reserve Determination', Attention: Mr Yakeen Atwaru
Ndinaye House
178 Francis Baard Street
PRETORIA, 0001;

OR

- (c) sending such comments by electronic mail to the following address:
Email: atwaruy@dws.gov.za

Comments must be addressed to the Director: Reserve Determination and marked for the attention of Mr Yakeen Atwaru. Comments received after the closing date shall not be considered.



MISS PEMMY C.P. MAJODINA, MP
MINISTER OF WATER AND SANITATION

DATE: 23/09/2024

SCHEDULE**PROPOSED RESERVE DETERMINATION FOR WATER RESOURCES OF THE BERG CATCHMENT IN THE BERG-OLIFANTS WATER MANAGEMENT AREA****1. DESCRIPTION OF WATER RESOURCE**

- (1) The Reserve is determined for all or part of every significant water resource within the Berg catchment, as set out below:

Water Management Area	:	Berg-Olifants
Drainage Regions	:	G1 and G2 secondary drainage regions including G30A and G40A quaternary catchments.
River(s)	:	The Berg River is the largest river in the study area, which also includes several smaller catchments within the City of Cape Town Metropolitan area such as the Diep, Kuils, Eerste, Lourens, Sir Lowry's, Steenbras, as well as various small catchments on the Cape Peninsula and along the West Coast.
Groundwater Resource	:	Adamboerskraal, Atlantis, Cape Flats, Cape Units Peninsula, Cape Town Rim, Darling, Drakensteinberge, Eendekuil Basin, Elandsfontein, Groot Winterhoek, Langebaan Road, Malmesbury, Middle-Lower Berg, Northern Swartland, Paarl-Franschhoek, Piketberg, Steenbras-Nuweberg, Stellenbosch-Helderberg, Tulbagh, Voëlvlei-Slanghoek, Vredenburg, Wellington, Wemmershoek, Witzenberg, Yzerfontein.

- (2) The Reserve is hereby determined for all, or part of the water resource referred to in sub-paragraph (1), which classes have been determined in Government Notice No. 43872 of 06 November 2020.
- (3) The Minister has in terms of section 12 of the National Water Act, 1998 (Act No. 36 of 1998), prescribed a system for classifying water resources by issuing Government Notice No. R. 810, published in *Gazette* No. 33541 dated 17 September 2010. In terms of section 16(1) of the Act, the Minister must, as soon as reasonably practicable after the class of all or part of a water resource has been determined, by Notice in the *Gazette*, determine the Reserve for all or part of that water resource.
- (4) The Minister, in terms of section 16(3) of the Act, proposes, for the purpose of section 16(1) of the Act, the following Reserve determination for the Berg catchment of the Berg-Olifants Water Management Area.

2. ACROYNMS AND DEFINITIONS

2.1 Acronyms used in Annexure B

BHN	Basic Human Needs
EIS	Ecological Importance and Sensitivity
EWR	Ecological Water Requirements
GRUs	Groundwater Resource Units
MCM	Million Cubic Metres
NMAR	Natural Mean Annual Runoff
PES	Present Ecological Status
REC	Recommended Ecological Category
TPC	Threshold of Potential Concerns

2.2 Definitions

In this Notice unless the context indicates otherwise –

“**Baseflow**” means sustained low flow in rivers during dry or fair-weather conditions, potentially including contributions from delayed interflow and groundwater discharge, but not solely reliant on groundwater;

“**Ecological Water Requirements**” means the necessary flow patterns (magnitude, timing, and duration) and water quality to maintain a riverine ecosystem. This term encompasses both quantity and quality considerations;

“**Groundwater Resource Unit**” means the smallest groundwater delineation unit based on similar hydrogeologic characteristics, demarcated for management purposes;

“**Groundwater contribution to Basic Human Needs**” means the groundwater component considered in calculating Basic Human Needs supply for individuals living beyond 500 meters from a perennial river, meeting a daily water demand of 25 l/p/d;

“**Groundwater contribution to Ecological Water Requirements**” means the groundwater contribution to Ecological Water Requirements determined using a baseflow separation technique with monthly flow data. This data is adjusted to match Target Ecological Categories for all river nodes and priority estuaries, considering both incremental and cumulative downstream flow;

“**Recharge**” means the addition of water to the zone of saturation facilitated by precipitation percolation and surface water infiltration;

“**Target Ecological Category**” means the ecological condition assigned to a water resource by the Minister that reflects the ecological condition of that water resource in terms of the deviation of its biophysical components from the natural reference condition. The ultimate target to achieve a sustainable system both ecologically and economically considering the Present Ecological State and Recommended Ecological Category; and

“**the Act**” means the National Water Act, 1998 (Act No. 36 of 1998).

3. COMMENCEMENT

The Reserve determinations contained in this Notice take effect on the date of publication.

The Annexure to this Notice containing the proposed Reserve determination for the Berg catchment can be accessed from:

<https://www.dws.gov.za/wem/currentstudies/gazettedreserves.aspx>

or requested from

Director: Reserve Determination
Attention: Mr Yakeen Atwaru
Ndinaye House
Private Bag X313
PRETORIA
0001
Email: atwaruy@dws.gov.za

4. RESERVE DETERMINATION IN TERMS OF SECTION 16(3) OF THE ACT

- (1) The groundwater quantity component of the Reserve, which includes the groundwater contribution to the Ecological Water Requirement (EWR) and the Basic Human Needs Reserve (BHN) per Groundwater Resource Unit (GRU) is set out in **Table 1.1**.
- (2) The groundwater quality component of the Reserve, which includes the groundwater quality requirements for BHN per groundwater resource unit is outlined in **Table 2.2**.
- (3) The Reserve determination for the quantity component for rivers including the EWR and the BHN are set out in **Table 3.1**.
- (4) The Reserve determination for the quality component for rivers at EWR sites is set out in **Table 4.1**
- (5) The ecological water requirements for estuaries are set out in **Table 5.1**. The ecological specifications and threshold of potential concerns are set out in **Tables 6.1 – 6.8**.
- (6) The summary of the Present Ecological State (PES) and Recommended Ecological Category (REC) of the identified wetlands is set out in **Table 7.1**.