

To: Amathole District Municipality – Executive Mayor - Mr Anele Ntsangani,

CC: Amathole District Municipality IDP Manager

idpcomments@amathole.gov.za.

Submission for the prioritisation of service delivery concerns of wards 18, 19 and 28 in Mbhashe local municipality in the Amathole District Municipality IDP review.

22 May 2024

Dear Mr Anele Ntsangani, Executive Mayor, Amathole District Municipality

1. This submission is made on behalf of the Mncwasa Water Scheme Community Advisory Committee: Councillor Phumelele Methu of Ward 19, Councillor Phumzile Msaro of Ward 28 and Councillor Lungisa Mahobe of Ward 18; Community Development Worker, Vuyisa Malangeni; Viva con Agua; and the Equality Collective (together 'the parties').
2. Together we undertake projects in the Amathole District Municipality (ADM) jurisdiction focused on the right to water and serve communities in the ADM region.
3. Together we represent the interests of community members from wards 18, 19 and 28 falling within the Mbhashe Local Municipality within the Amathole District Municipality.
4. Our direct experience concerning water service delivery primarily falls within the supply area of the Mncwasa Water Scheme which supplies water to approximately 33 000 people.
5. We are writing to provide input into the Amathole District Municipality review of the Integrated Development Planning (IDP) for 2024/25.

THE SUBMISSION

6. The submission will deal with five key areas:
 - a. Blue drop status – Mncwasa and Mbhashe LM
 - b. Mncwasa Water Scheme
 - c. Facilitating public participation.
 - d. Water and sanitation master plan (WSMP)

A. BLUE DROP STATUS – MNCWASA AND MBHASHE LM

1. The draft IDP states that the Blue Drop report is yet to be released. This is incorrect as the report has been released and is publicly available on the Department of Water and Sanitation website.¹
2. The Blue Drop report is a regulatory tool that also incentivises municipalities to improve the quality of water through the certification process which assesses Water Treatment Works against 5 Key Performance Areas namely, capacity management, drinking water quality risk management, financial management, technical management and drinking water quality compliance.
3. ADM received a municipal Blue Drop Score of 59.49% in 2023. This was a significant (20.75%) decrease from a score of 80.24% in the 2014 report. This signifies a detrimental deterioration in both the water services infrastructure and its management in the district.
4. In an analysis of WTW in Mbashe Local Municipality, the average Blue Drop Score sits at 60.55%. The Mncwasa Water scheme has the second lowest score at 53.72%.

File				
Amathole District municipality - Water Treatment facilities in Mbashe Local Municipality.				
Water Treatment works			Blue Drop Status	
LM	Water treatment Works	Status	2023	2014
Mbashe	Cwebe WTW (0.4Ml/d)	This is operational. Requires minor refurbishment	62.97%	75,46%
	Dutywa WTW (2.6Ml/d)	This is operational. Requires minor refurbishment	63.69%	63,43%
	Dwesa	This is operational. Requires minor refurbishment	54.30%	85,41%
	Elliotdale WTW (0.7Ml/d)	This is operational. Requires minor refurbishment	58.72%	75,12%
	Mbashe North WTW (3.8Ml/d)	This is operational. Requires minor refurbishment	62.64%	87,11%
	Mendu WTW (0.3Ml/d)	This is operational. Requires minor refurbishment	76.17%	84,51%
	Mncwasa WTW (4Ml/d)	This is operational. Requires minor refurbishment	53.72%	NI
	Nqadu WTW (0.7Ml/d)	This is operational. Requires minor refurbishment	56.52%	83,18%
	Qwaninga WTW (0.8Ml/d)	This is operational. Requires minor refurbishment	69.02%	68,90%
	Willowvale WTW (0.7Ml/d)	This is operational. Requires minor refurbishment	59.67%	83,42%
	Xhora WTW (12Ml/d)	New Plant	48.65%	NI
Average Blue Drop Status			60.55%	

Figure 1: Mbashe Local Municipality Water Treatment Works Blue Drop Status 2023²

5. The Mncwasa Treatment works also got a red drop which signifies that “Compliance levels were too low; there were extended periods when the water did not comply with

¹ Department of Water and Sanitation, Blue Drop Report 2023.
https://ws.dws.gov.za/iris/releases/BDN_2023_Report.pdf

² Department of Water and sanitation, Blue Drop Report 2023.
https://ws.dws.gov.za/iris/releases/BDN_2023_Report.pdf

standard / or no monitoring to confirm actual quality of tap water. (Micro <90%, Chemical <90%). The Blue Drop Risk rating however dropped from 74.30% in 2022 to 63.68 in 2023”

6. Considering this data, it is worrying that the municipality has not reviewed DWS' Blue Drop report, or identified concerns raised in the report and is therefore silent on the mechanisms and actions that need to be put in place to improve the Blue Drop certification of its schemes.
7. We believe that the Blue Drop report findings signal significant potential risks to our drinking water quality and therefore to our health, that must be identified and addressed by the municipality.

We urge the ADM:

- a. **To include a plan of action on how they will seek to address the drop in Blue Drop status. This must include specific targets in the short, medium and long term. This plan must be formulated with the assistance of key stakeholders in the spirit of community participation.**
- b. **This action plan must include a financial plan on how the proposed actions will be financed.**

B. MNCWASA WATER SCHEME

8. We have previously made submissions to ADM on the state of the Mncwasa Water Scheme (the Scheme). In those submissions, we highlighted the need for allocation of more funding to the refurbishment of the scheme.
9. We have noted the inclusion of the Scheme in the draft IDP with an allocation of R5 000 000.00 in 2024/25 and R10 000 000.00 for the 2025/26 and 2026/27 financial years.
10. We congratulate the municipality for prioritising the major maintenance of water schemes in the district.
11. We also encourage ADM to continue making concerted efforts to secure resources for other schemes in the region that need to be refurbished in order to meet its Constitutional mandate to ensure access to at least basic water services to all communities in its jurisdiction.

C. FACILITATING PUBLIC PARTICIPATION

12. Public participation is integral to the IDP review process. It is also a legal requirement. It serves as the key consultative tool that ensures that projects are implemented to meet people-centric service delivery objectives.
13. We acknowledge the work that has gone into improving communication evidenced by the revamped ADM website, improved updates of activities on the ADM social media accounts as well as regularly updated information and documents on the ADM website.
14. Concerns however remain concerning the publication of key municipal documents and opportunities for public participation. These include advertisement of IDP roadshows and related engagements, publication of performance agreements and performance reports.

Publication of Opportunities for Public Participation

15. For the 2024/25 IDP Public hearings, ADM failed to ensure that adequate notice was given to community members in the Mphashe Local Municipality.
16. On X (formally Twitter), the notice for IDP and Budget public hearings was posted on 10 April 2024. However, there was a meeting scheduled for Mphashe on 9 April 2024. The notice was effectively posted a day after the first hearing took place.
17. On Facebook, the notice was again posted on 10 April 2024. However, the post in this instance was posted under a privacy setting that hides the content of the post from the public. Effectively meaning no person can see the actual content of the post.
18. No notice was posted on the ADM Website.
19. Section 16(1)(a) of the Municipal Systems Act 32 of 2000 (Systems Act), provides that “A municipality must develop a culture of municipal governance that complements formal representative government with a system of participatory governance, and must for this purpose- (a) encourage, and create conditions for, the local community to participate in the affairs of the municipality”.
20. We believe there is a duty of care that is placed on the ADM administration to ensure communication with its stakeholders in line with the intent of this section so that all community members are given a chance to participate. Communication notices that are shared timeously are central to these efforts.

Key Performance Reports

21. Chapter 6 of the Municipal Systems Act prescribes regulations regarding performance Management Systems (PMS) for municipalities. This requires municipalities to develop a performance management system, monitor and review PMS, report on a set of

general indicators prescribed nationally by the minister responsible for local government, conduct internal audits on performance, have these annual performance reports audited by the Auditor-General and ensure the involvement of the community in setting indicators and targets and reviewing municipal performance.

22. Section 46 of the Municipal Systems Act provides that a municipality must prepare for each financial year, an Annual Performance Report (APR). These reports must be made publicly available.
23. We have realised that although the IDP has a section that speaks to performance management (Chapter 7), the actual Annual Performance Reports are not available on public platforms such as the ADM website, or the GoMuni National Treasury website.
24. An assumption that performance reporting in the IDP itself is sufficient disregards the legislative provision that explicitly directs for a separate annual performance report under section 46 of the Systems Act.
25. We believe this is part of a lack of compliance in relation to the facilitation of public participation as it hinders the ability of stakeholders to interrogate the performance of the municipality in the preceding financial year. .
26. ADM must therefore endeavour to ensure APRs are published annually to ensure compliance with legislation and facilitate public participation in the monitoring and accountability of ADM.

Performance Agreements

27. Section 57(1)(a-b) of the Systems Act provides that performance agreements must be signed by a “person to be appointed as the municipal manager of a municipality, and a person to be appointed as a manager directly accountable to the municipal manager. This must be done annually”.
28. Section 57(A) directs that “these agreements must provide for the performance objectives and targets that must be met, and the time frames within which those performance objectives and targets must be met.”
29. Performance agreements are one of the key documents envisioned by sections 21 and 21A of the Systems Act as documents that must be made available to the public.
30. We believe that performance agreements play a significant role in assessing the performance of managers who are effectively responsible for executing the projects outlined in the IDP.
31. Performance agreements outline targets that managers are legally obliged to meet and an assessment of these targets by stakeholders can only be possible if the agreements are public knowledge. This allows stakeholders to hold administrative staff accountable for their performance assessed against projects laid out in the IDP.

We therefore recommend the following as it relates to facilitating public participation.

- a. ADM must commit to improving processes that facilitate public participation by ensuring that adequate notice of opportunities for public participation is given to stakeholders.
- b. ADM must ensure that relevant documents such as the IDP, performance agreements, annual performance reports, annual reports and related documents such as the Annual Performance Report, performance agreements and other documents legally required to be public documents, are made available to community members through the ADM website and physical copies at designated areas.
- c. Consideration must be given to facilitating the translation of key documents into the predominant language having regard to language preferences and usage within its area.

D. WATER AND SANITATION SERVICES MASTER PLAN (WSMP)

32. The draft IDP makes mention of a Water Services Master Plan (Master plan). We assume that this is in line with the National Department of Water and Sanitation National Water and Sanitation Master Plan and will set out the municipality's plans for water resources development and the delivery of water and sanitation services between now and 2030.
33. The IDP does not provide details of this Master Plan but does provide that the municipality aims to complete it in the 25/26 financial year.
34. These developments are welcomed, and we implore that in this planning, **the municipality sets out its water resources challenges and strategies very clearly, and it ensures proper consultation through public participation, and ensures accessibility of draft plans on the municipality's website and offices.**

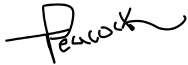
E. CONCLUSION

35. In conclusion, we urge the Amathole District Municipality to take our submissions into account. We believe that our recommendations are in line with the vision and mission of the Municipality and that they will contribute to the sustainable provision of services across the district.
36. We appreciate the opportunity to participate in this review process and we look forward to hearing from you soon.

Thank you for your shared commitment to achieving the development goals of our district municipality.

Yours in local development

Sincerely,

A handwritten signature in black ink that reads "Peacock". The signature is written in a cursive style with a long horizontal stroke extending to the left.

Tess Peacock

Director, Equality Collective

Representing the other Mncwasa Water Scheme Advisory Committee Members:

Phumzile Msaro

Councillor of Ward 28

Vuyisa Malangeni

Community Development Worker

Lungisa Mahobe

Councillor of Ward 18

Phumelele Methu

Councillor of Ward 19

Ajay Paul

Director, Viva con Agua