TERMS OF REFERENCE FOR A WRC PROJECT

KEY STRATEGIC AREA	**KSA 9: Business Development and Innovation**
THRUST	**3. Business Development**
PROGRAMME	**13/31 SASTEP**
TITLE	**Developing a set of model bylaws (norms and standards) for the implementation of off grid, decentralised and non-sewered sanitation solutions in municipalities (metropolitan, district and local)**

Objectives

- **Reviewing and aligning the national, provincial (norms and standards, policy, relevant regulatory frameworks) with local policy and regulatory frameworks for managing off grid, decentralised and non-sewered sanitation solutions in municipalities**
- **Developing a set of model bylaws (norms and standards) for the implementation of off grid, decentralised and non-sewered sanitation solutions in South Africa**
- **Communicating to municipalities and raising awareness of the model bylaws**

Background and rationale

The absence of comprehensive bylaws governing off-grid, decentralised, and non-sewered sanitation solutions in municipalities poses significant challenges to addressing the pressing sanitation needs in South Africa. In many cases municipalities are never consulted on new settlements, housing and other property development programs but end up carrying the burden of providing and/or regulating water services provision. The accountability for implementation sits with several different departments (national and local), but the regulatory power sits with the Water Services Authority (WSA).

Without a clear regulatory framework in place, municipalities struggle to implement and manage these alternative sanitation systems effectively leading to a number of illegal installations across the country. This lack of specific norms and standards not only hinders the provision of adequate sanitation facilities but also compromises public health, environmental sustainability, community well-being and socioeconomic conditions. Furthermore, it creates uncertainties for stakeholders involved in the sanitation provision, including property owners, users, contractors, and service providers, as they navigate an unregulated landscape.

Addressing the absence of bylaws is crucial for municipalities to ensure the provision of safe, dignified, and sustainable sanitation solutions for all residents. Establishing a comprehensive set

of model bylaws (norms and standards) is essential to guide municipalities in implementing off-grid, decentralised, and non-sewered sanitation systems effectively. Such bylaws would provide clarity on legal requirements, technical specifications, operation and maintenance procedures, sanitation tariffs, community engagement, emergency procedures and address risks, leading to improved sanitation access, public health, environmental protection, and socioeconomic conditions.

Specific objectives

The specific objectives are:

- Reviewing and aligning the national, provincial (norms and standards, policy, relevant regulatory frameworks) with local policy and regulatory frameworks for managing off grid, decentralised and non-sewered sanitation solutions in municipalities
- Developing model bylaws for assisting municipalities (metropolitan, district and local) with approval, adoption, and regulation of off grid, decentralised and non-sewered sanitation systems
- The key components and provisions of the model bylaws, must include but are not limited to:
  i. Application procedures and any relevant approvals (licenses, permits and certifications) from the Department of Water and Sanitation (DWS), Department of Forestry, Fisheries, and the Environment (DFFE), South African Bureau of Standards (SABS), local government departments, and other authorities responsible for regulating and licensing technology design, performance and installation, effluent discharge, sludge disposal etc.
  ii. Technical standards and guidelines for the design, construction, installation, and operation of off grid, decentralised and non-sewered sanitation systems
  iii. Mechanisms for safeguarding public and environmental health through monitoring and evaluating the performance and compliance of off-grid, decentralised, and non-sewered sanitation systems to the established norms, standards, and guidelines for safe waste storage, treatment, and disposal.
  iv. Clarify the roles and responsibilities of national and local government, municipal authorities, property owners, body cooperates, users, contractors, and service providers in the implementation, operation, and maintenance of off-grid, decentralised, and non-sewered sanitation systems.
  v. Enable municipal authorities to enforce compliance through inspections, audits, and appropriate penalties or sanctions for non-compliance.
  vi. Setting of sanitation tariffs for off grid, decentralised and non-sewered sanitation solutions

vii.   Education of users to increase community awareness and understanding of off-grid, decentralised, and non-sewered sanitation solutions to promote proper usage and maintenance practices.

Expected outcomes and impacts:

- A set of model bylaws that can be easily adopted by municipalities across the country to promote the deployment of off-grid, decentralised, and non-sewered sanitation systems.
- Promotion of accountability and cooperation among stakeholders to ensure the effective functioning and longevity of these systems.
- Promotion of universal access to safe and dignified sanitation
- Improving public health, environmental protection, and socioeconomic conditions

Deliverables/Outputs:

1. Inception report
2. Progress report
3. Position paper
4. Model bylaws
5. A validation workshop with relevant stakeholders
6. Dissemination and communication workshops to all provinces.
7. Final report covering the scope of work, including key recommendations.

Time Frame: 6 - 10 months

Budget: R850 000

Evaluation
Proposals will be adjudged competitively based on technical soundness, previous experience, BEE, and budget.