

Former diamond town down in dumps after court ruling

By **BOBBY JORDAN**

● South Africa's newest town is stranded in a service delivery stalemate after residents were ordered to stop fixing their crumbling infrastructure, regardless of how big the potholes are.

Koingnaas, a former private mining town owned by De Beers, was incorporated into the Kamiesberg municipality in 2016. Since then it has fallen steadily into disrepair. With service delivery costs no longer covered by De Beers, residents set up teams to do the work themselves – until they were interdicted from interfering pending a court showdown with the municipality.

The Northern Cape High Court last month ruled in favour of the municipality, effectively putting a stop to the community-driven rescue operation. But ratepayers represented by the Koingnaas Taxpayers Association (KBBV) have vowed to appeal the ruling, leaving the town's future uncertain.

The municipality, which welcomed the court ruling, says it is willing to work with Koingnaas residents, but not if they "go it alone" and disrespect the law. The problem is that there are not enough municipal resources, nor revenue, to deliver adequate services. Money donated by De Beers was not ring-fenced specifically for Koingnaas and went into the general coffers.

The Sunday Times has established that the grant-dependent municipality is broke, owed millions in unpaid rates and unable to service its massive 200,000ha area. Its woes include:

● Some government departments are in

arrears;

● The big mine surrounding the town, West Coast Resources, is in business rescue and also in arrears by several million rands;

● The municipality lacks sufficient ratepayers to generate income to service its huge area, which includes many remote settlements;

● Eskom delivers electricity direct to Kamiesberg customers, which means the municipality does not derive income for power delivery – a source of income for many other local municipalities; and

● The municipality must look after 16 towns, but only generates revenue from a handful of them.

A well-placed source said the municipality was doing the best it could under extremely difficult circumstances. "There is a resource problem. There isn't money in that municipality. They have to scrape [for money] to do work."

The source said the municipality was buckling under the pressure of servicing many remote settlements, often at the end of rutted dirt roads in need of repair. It was also battling to attract people with the necessary expertise to live in the remote Northern Cape.

Municipal officials were prepared to work with the rebellious taxpayers association, but only in a spirit of co-operation, not antagonism, he said. "It [the relationship] was nice in the beginning. But [the taxpayers association] wants to take over everything. They didn't say let us work together."

In a statement issued in response to last month's court ruling, Kamiesberg municip-



Koingnaas, formerly owned by De Beers, has fallen steadily into disrepair since being incorporated into the Kamiesberg municipality in 2016. Pictures: Supplied

ality acknowledged its service delivery challenges: "The municipality is well aware of the various challenges affecting municipal services in Koingnaas and is more than prepared in terms of valid processes to take hands with the community to address the problems."

De Beers declined to comment on its payments to the municipality, and whether the money had been allocated as per signed



Residents of Koingnaas used more than 50t of concrete to fix the potholes in their town.

agreements. "This matter is between Koingnaas residents and the Kamiesberg municipality and we have no comment," the company said in response to queries.

However, KBBV chair Johan Grabe said Koingnaas represented the predicament faced by ratepayers countrywide – forced to pay rates for non-existent or inadequate services. He and 16 other Koingnaas property owners are refusing to pay their municipal rates, insisting rates increases are illegal as they were never properly advertised as prescribed by law.

Grabe believes last month's court ruling

could have dire consequences for ratepayers who are watching municipal services disappear. "If the municipality cannot fix the infrastructure and provide essential services, the community must have the right to fix the infrastructure and provide services where the municipality fails," he said.

In delivering judgment last month, judge Mpho Mamoso acknowledged the town's service delivery crisis, but nevertheless found that residents needed to act within the framework of the law.

"On a conspectus of the evidence it is evident that service delivery is an intractable malaise in Koingnaas and that KBBV resolved to do something about it for the benefit of the community ... They meant well and it is apparent that KBBV has dug deep into its own pockets to fix the potholes and/or do some road repairs," she said.

Veronica van Dyk, a DA MP who lives in the area, said public-private partnership is vital to future local government, particularly in remote towns where most people are dependent upon government grants but have skills that could help with service delivery.

However, she said the partnership needs to be constructive and not in the form of a taxpayer rebellion. "Unemployment in our rural areas is enormous – there is no income. In future, if you want municipalities to work, communities will need to be involved."

A legal spokesperson for Trans Hex, a key shareholder of West Coast Resources, referred queries about the outstanding payment to the mine's business rescue practitioners, who could not be reached for comment.