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MEDIA RELEASE / PRESS STATEMENT

ISSUED BY: Office of the Municipal Manager (Mr. L.S. Jili)

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ATTENTION: Emoba Community, News Desks, and Media Outlets

MUNICIPALITY EXPOSES ABSURD DEMANDS BY EMOBA TOWNSHIP TRUSTEES TO DEMOLISH COMMUNITY WATER RESERVOIR AND EXTORT PUBLIC FUNDS

LADYSMITH — uThukela District Municipality hereby alerts the residents of the Emoba community to an outrageous attempt by the newly appointed Trustees of the Emoba Township Trust to hold the community's water supply hostage for financial gain.

On 7 September 2026, the Trustees served a demand notice threatening to approach the High Court to force the structural disassembly and demolition of the Intabakasgwilli Mountain bulk concrete water reservoir and pipeline network within seven (7) business days unless millions of Rands in public funds are handed over to them.

THE ABSURDITY OF THE TRUSTEES' DEMANDS

The Municipality exposes the following facts to the residents of Emoba:

Demanding Up to R20.7 million for Water Infrastructure Built 23 Years Ago:

The Intabakasgwilli reservoir and reticulation pipelines were constructed circa 2003 and have continuously delivered clean drinking water to 3,661 beneficiary households (an estimated 15,000 to 20,000 residents) for over 23 years.

The Trustees—who were only authorized by the Master of the High Court on 18 May 2026 under IT000217/2026(N)—are now demanding R15,180,000.00 to R20,700,000.00 in backdated "rent" for 276 months going back to 2003. It is legally absurd for Trustees appointed in May 2026 to demand two decades of backpay for infrastructure that existed long before their authorization.

Furthermore, under Section 11(d) of the Prescription Act 68 of 1969, monetary debts older than three years are completely extinguished by law.

Demanding R55,000 to R75,000 Every Month in Rent:

The Trustees demand that the Municipality sign a commercial lease paying R55,000.00 to R75,000.00 per month (escalating at 8% to 10% annually) to allow water to flow to community taps.

Diverting over R12.5 million in public service funds over ten years to pay commercial rent for uncultivated mountain land would constitute illegal Fruitless and Wasteful Expenditure under Section 32 of the Municipal Finance Management Act 56 of 2003 (MFMA).

Threatening to Destroy the Community's Water Supply:

The Trustees have threatened to seek a court order to demolish and remove the reservoir infrastructure. Under Section 27(1)(b) of the Constitution and Sections 3 and 11 of the Water Services Act 108 of 1997, access to water is a basic human right, and the Municipality is legally mandated to protect water delivery.

Under Section 79 of the Water Services Act, water works constructed by a water services institution remain public property, while Section 82 makes obstructing water services a statutory criminal offense.

THE MUNICIPALITY'S UNWAVERING POSITION

uThukela District Municipality has completely **REJECTED** all of the Trustees' demands.

- **Invitation to Court:** The Municipality formally invites the Trustees to proceed with their threatened High Court action.

- **Permanent Protection Via Expropriation:** If the Trustees refuse to cooperate, the Municipality will exercise its statutory powers under Section 81 of the Water Services Act 108 of 1997 to expropriate a permanent Public Utility Servitude over Portion 25 and Portion 54 of Kirkintolluch Farm No. 2105 (Title Deed T37/1896), guaranteeing that the water supply to the 3,661 households is secured forever.

The Municipality reassures the residents of Emoba that their water supply remains safe, fully operational, and protected by the law.

- END OF STATEMENT -

MR LS JILI

Municipal Manager

uThukela District Municipality