

KOUKAMMA LOCAL MUNICIPALITY



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Map

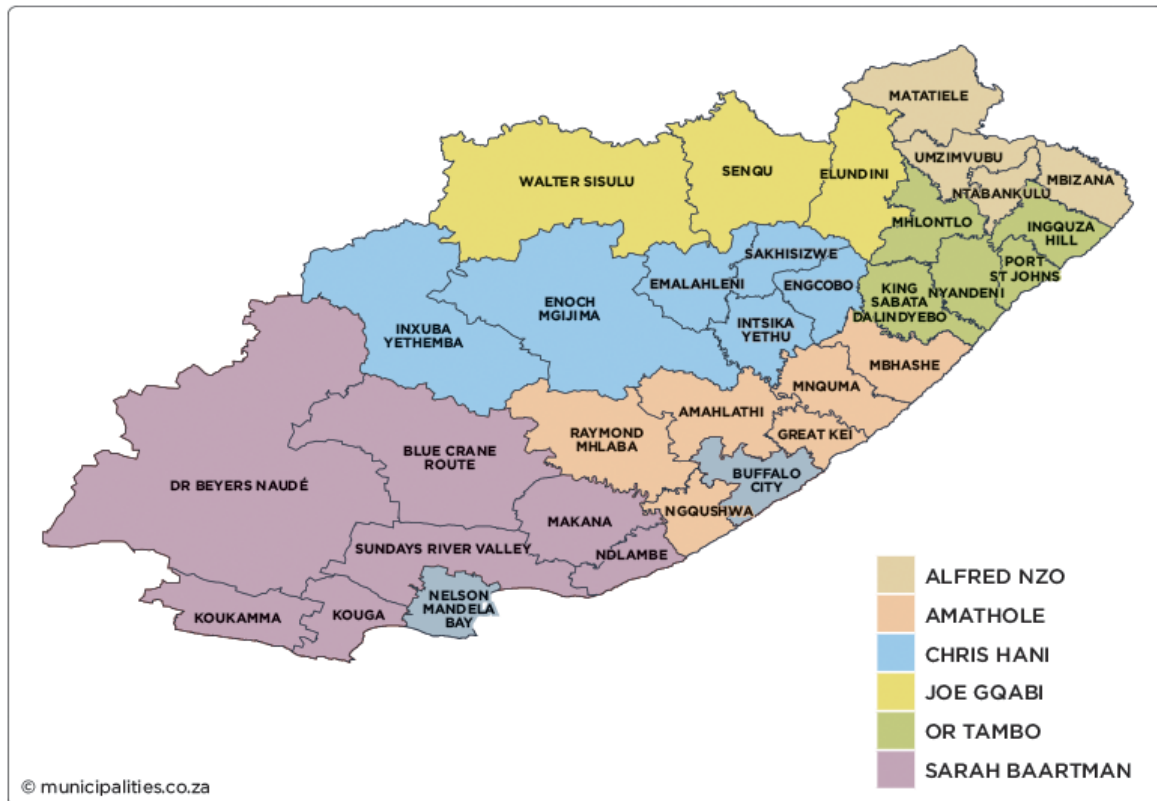


Figure 1: Geographical location of the Koukamma Local Municipality (source Municipalities of South Africa, <https://municipalities.co.za/provinces/view/1/eastern-cape>).

The Koukamma Local Municipality is situated in the Sarah Baartman District Municipality alongside the Indian Ocean coastline in the south-western area of the Eastern Cape Province.

Assessment: Progressive realization of the right to water in Koukamma Local Municipality

RIGHTS HOLDERS		
Demographics	Current Population: Ranges from 28,582 (<i>Blue Drop</i>) to 40,633 (IDP) Population growth rate: -1.05% Sex Ratio: Moderate female majority Dependency: 27% under 15; dependency ratio 49.0	
Unemployment	21.9%	
KEY IMPLEMENTATION INDICATORS		
Availability	Rivers, dams, groundwater 151% of capacity used	
Physical access	Communal source +200m	1.2%
	Communal source – 200m	5.7%
	Water source in yard	93.1%
	Piped water in house	84.2%
	Service delivery point/household coverage ratio	1.16
Economic Access	Tariff variation: No differentiation Tariff structure: Increasing block tariff (5 blocks, R8.49-R13.62 FBW: Indigent only Indigency: 2.5% of service delivery points, decreasing trend	
Adequacy	No available information	
Quality	Microbiological compliance	54.5%
	Chemical (acute) compliance	0.0%
	Chemical (chronic) compliance	59.1%
Efficiency	WUE Score: 217 l/p/d (Good) Non-revenue water: 26%	
REASONABLE MEASURES		
Policy Efforts	By-law, Indigent Policy, outdated WSDP	
Financial Resources (2024/25)	Budget sufficiency: 97% Revenue coverage: 121% Renewal spending: 43% Maintenance spending rate: 4%	
Human Resources	<i>Blue Drop</i> shortfall: 4 Process Controllers, 0 Supervisors, 3 Technicians, 2 Qualified scientists	
SYSTEMIC DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE		
Leadership issues	Not mentioned	
Water planning issues	-Unreliable statistics -Water losses, repair, leaks -Remove illegal connections -Ageing water infrastructure -Revenue collection enhancement -Improve water security and combat vandalism	

Funding model	Not mentioned
Infrastructure issues	-Ageing infrastructure
Electricity issues	-Electricity distribution losses -Tempering and bypass meters
Ecological drivers	-Removal of alien vegetation
Consumer issues	-Water billing inaccuracy due to faulty meters or unmetered consumers -The municipality is unable to quantify the exact percentage of water losses due lack of meter -High water usage by indigent households
Water services intermediaries	Not mentioned
Third-party interference	Not mentioned
Intergovernmental coordination	-Mentioned, but not in relation to water services
Scale	3,642km ² 11 WTWs, 71 pump stations, NI km of bulk water supply lines, NI km of reticulation pipelines and 8 reservoirs
UNIQUE DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE	
Overlapping governance structures	6 wards, no information on traditional authorities
Low literacy and education levels	No Schooling: 3.3%, tertiary ed: 4.8%
Infrastructure backlogs	-Sanitation backlogs
Limited yellow fleet	Inadequate fleet
High vacancy rate	Municipal Manager vacant for 84 months and Chief Financial Officer vacant for 7 months
Legal non-compliance	Yes

*Indicators highlighted in red flag potential human rights concerns

Narrative

RIGHTS HOLDERS

Population estimates for the Koukamma Local Municipality range from 28 582 (Blue Drop) to 40 633 (IDP). The population growth rate of -1.05% is lower than the national average of 1.3%. There is a moderate female majority and 27% of the population are under the age of 15. The dependency ratio of 49 is higher than the reported national 2024 average of 48.4 and lower than the global average of 58.4.¹ There is a moderate level of unemployment (broad definition used) in this municipality at 21.9%.

KEY IMPLEMENTATION INDICATORS

The Koukamma Local Municipality is authorised to provide water services and can abstract water from the Lottering River, Joubertina Dam, Assegai Bosch Stream, Weir Dam, Sanddrift River, Witklip River and groundwater.

In terms of physical access, 93.1% of consumers reportedly have a water connection in their yard, and 84.2% enjoy water piped into their dwellings. About 5.7% of the population has access to a communal source within 200m of their dwellings, and 1.2% rely on communal sources further than 200m away. The service delivery point/household coverage ratio is 1.16 meaning that the current service delivery points cover 116% of the households counted in the 2022 Census.

The Koukamma Local Municipality does not provide a universal Free Basic Water Allowance, although in terms of law a municipality is not required to have one. About 2.5% (low) of service delivery points are covered by the indigency policy. Since 2017, the number of households benefiting from the indigency policy has decreased. The tariff structure (2021/22) shows an increasing block tariff structure (least expensive block is R8.49, most expensive is R13.62). The municipality has only one tariff category.

No reliable data could be found about the number of water services interruptions experienced by the community. There is critical concern with water quality, with the Koukamma Local Municipality reporting microbiological compliance at 54.5% and chemical acute compliance at 0% and chronic at 59.1%.

Water use efficiency is average. The *Blue Drop* score of >217 l/p/d is good. According to the 2021/22 Auditor-General report, 26% of all water produced is non-revenue water, which is a concern.

REASONABLE MEASURES

The Koukamma Local Municipality has a valid water services by-law, water services development plan and indigent policy.

The Municipality's financial indicators between 2021/22 and 2024/25 show that the municipality's own revenue is enough (121%) to cover its operational expenditure budget. The municipality's total income, which includes intergovernmental transfers, is not enough (97%) to cover capital and operational expenditure. The portion of capital budget allocated to the renewal of assets ranged between 6% and 43% and maintenance expenditure ranged

between 1% and 4%. The revenue collection rate has fluctuated between 67% and 229% according to MFMA Schedule C datasets.

There are 32 municipal officials employed in water treatment. According to the latest *Blue Drop* report, there is a staff shortfall of 4 process controllers, 3 technicians and 2 qualified scientists in the department responsible for water treatment.

SYSTEMIC DRIVERS OF RIGHTS NON-COMPLIANCE

The key systemic drivers of rights non-compliance in the Koukamma Local Municipality are:

- **Leadership issues:** None reported.
- **Water planning issues:** Unreliable statistics. Infrastructure-related problems. Municipality cannot reliably establish its water losses.
- **Funding model:** Billing inaccuracies.
- **Electricity issues:** Electricity distribution losses and illegal connections.
- **Infrastructure issues:** Ageing infrastructure.
- **Ecological drivers:** None.
- **Consumer issues:** High water use by indigents.
- **Intermediaries:** None.
- **Third-party interference:** None.
- **Scale:** Water services in the Koukamma Local Municipality are spread out over 3 642 km².

OVERSIGHT

1. Department of Water and Sanitation took Blue Drop Action. (See, Table: Oversight Department of Water and Sanitation, for more details).
2. Public protector undertook a systemic investigation into allegations of inadequate and lack of provision of essential services (See, Table: Other Oversight Institutions, for more details).

Expanded Table

Indicator	Measurement	Sources
Name of the WSA	Koukamma Local Municipality	
Geographical information about the WSA.	The local municipality is one of seven local municipalities in the Sarah Baartman District Municipality.	Koukamma Local Municipality - Overview
Spatial extent	3,642km ²	Koukamma Local Municipality - Overview
Municipal wards	6	IDP 2023/24, p. 21
Traditional Authorities	No easily accessible information	IDP 2023/24
Is the WSA authorized to provide water services?	yes	IDP 2023/24, p. 164
Is the WSA currently providing water services?	Yes, water treatment and distribution	Koukamma IDP 2024/25 p. 135
Method of service provision	self	IDP 2023/24, p. 164
Context indicators		
Details of any water related stresses experienced within the past five years. ⁹	(2019) Failure by the Amathole District and Raymond Mhlaba Municipalities to maintain and improve water supply infrastructure, and to react to the drought in a timely manner, was to blame for how serious the crisis [drought] had become. https://www.farmersweekly.co.za/opinion/blog/letter-from-the-editor/poor-governance-worsens-drought/ (2020) The Eastern Cape is the “worst hit” province by the persistent drought that has gripped SA since 2015, human settlements, water, and sanitation minister Lindiwe Sisulu said on Monday. https://www.dispatchlive.co.za/news/2020-01-07-eastern-cape-hardest-hit-by-drought/	
Demographics		
Population	28,582 (<i>Blue Drop</i>) 36,487 (2022 Census) 40,633 (IDP)	2023 <i>Blue Drop Report</i> , p. 58; Koukamma Local Municipality - Demographic IDP 2023/24, p. 203
Number of households (Census 2022)	9,593	Koukamma Local Municipality - Demographic
Number of domestic household service delivery points (2021/2022) (<i>Non-Financial Census of Municipalities</i>)	11,163	Koukamma Local Municipality - Services

Ratio service delivery points / households	1.16		
Number of non-domestic consumers	128	Koukamma Local Municipality - Services	
Males per 100 females	94.2	Koukamma Local Municipality - Demographic	
Gender Split	48.5% Male 51.5% Female		
Population growth rate per annum	-1.05%	Koukamma Local Municipality - Demographic	
Education	No Schooling: 3.3% Higher Education: 4.8%	Koukamma Local Municipality - Demographic	
Financial capacity			
Economically active population (15-64)	67.1%	Koukamma Local Municipality - Demographic	
Unemployment rate	21.9%	IDP 2023/24, p. 60	
Dependency rate	49.0	Koukamma Local Municipality - Demographic	
Population under 15	27.0%	Koukamma Local Municipality - Demographic	
Universal FBW Allowance	no	IDP 2023/24 p. 249	
Number of service delivery points receiving FBW: 2021/22	2,464	Koukamma Local Municipality - Services	
Percentage of FBW service delivery points	2.5%		
Increase/decrease of FBW 2017/2018 – 2021/2022	2,468 to 2,464 Decrease	Koukamma Local Municipality - Services	
Is the WSA currently experiencing financial problems? (As at 2022/23 Third Quarter)	Section 138 2 triggers Section 140 1 trigger	NT Municipalities Meeting Criteria, item 15	
Details of the triggers present.	Failure to make payments as and when due for longer than 90 days that amount to more than R 1 million.	☒	NT Municipalities Meeting Criteria
	Operating at a deficit of more than 5% of the total direct revenue.	☐	
	Negative OR outstanding audit.	☐	
	Negative cash position for two or more consecutive years.	☒	
	Failure to make any payment to Eskom when due that amounts to more than 2% of the operating expenditure.	☐	
	Failure to make any payment to the Water Board when due that amounts to more than 2% of the operating expenditure.	☐	

	Failure to make any payment to any other creditor when due that amounts to more than 2% of the operating expenditure. ☒ Failure to make any payment to Eskom when due that amounts to more than 40% of the operating expenditure. ☐ Failure to make any payment to the Water Board when due that amounts to more than 40% of the operating expenditure. ☐ Failure to make any payment to any other creditor when due that amounts to more than 40% of the operating expenditure. ☐	
Is municipality considered to be in financial distress?	no	NT Municipalities Meeting Criteria, item 15
Is the municipality currently subject to a provincial intervention?	no	Koukamma Local Municipality - Council & Management
Water management		
Is the rainfall within the WSA area (July 2022 to January 2023) above or below the average rainfall (464mm) for South Africa?	No information	WeatherSA, Historical Rain map
Water abstraction authorized?	No	2023 Blue Drop Report p. 56
Volume of authorized/(unauthorized) water abstraction?	0 kl/d	2023 Blue Drop Report p. 56
How many water treatment plants are in the WSA's water services network?	Koukamma WSA manages 11 WSSs, 71 pump stations, NI km bulk water supply lines, NI km reticulation pipelines, 8 reservoirs. Total design capacity is 6.0 MI per day. Design capacity available is 3.0 MI per day. Average production: 4.6 MI per day 151% of capacity is used 2023 Blue Drop critical risk: 5 (Clarkson, Joubetina, Krakeel, Louwater, Misgund)	2023 Blue Drop Report, p.44, p.54, p. 86-87
How many biophysical water sources does this WSA have access to?	River ☒ Dam ☒ Saltwater ☐ Groundwater ☒	2023 Blue Drop Report, p. 86-87
Names of rivers and dams	Lottering River, Joubertina Dam, Assegai Bosch Stream, Weir Dam, Sanddrift River, Witklip River, Groundwater	2023 Blue Drop Report, p. 86-87
How many infrastructure water sources does this WSA have?	Water reclamation ☐ Desalination ☐ From natural source ☒	IDP 2023/24, p. 166
Political Stability		
Is there a coalition government?	ANC ANC 4, DA 3, PA 3, INDEPENDENT 1, VF PLUS 1	Koukamma Local Municipality - Council & Management

Has there been mayoral instability in the last 5 years?	None		
MM/CFO Vacancy Snapshot	AGSA Website Based Report 2021/22		AGSA Web Based Report 2021/22
	Is the council established?	Yes	
	Council instability the previous year?	No	
	MM vacancy at the end of the year?	No	
	Number of months the MM has been in position.	81	
	CFO vacancy at the end of the year?	No	
	Number of months the CFO has been in position.	7	
Policy Efforts			
Water By-law			
Is there a water by-law?	yes		By-law
Citation of by-law	Koukamma Municipality Water and Sanitation By-Laws		By-law
Mark with "yes" if the by-law makes provision for the following:	Matters incidental to providing water services to residents, including communal sources	yes	By-law
	Protecting water supply systems.	yes	
	Prohibiting wasting water	yes	
	Prohibiting illegal connections	yes	
	Sets out standards for water installations and maintaining water infrastructure	yes	
	The installation and upkeep of fire extinguishing systems	yes	
	How service charges are calculated and levied	yes	
	Measures to ensure the quality of potable water	yes	
	Preventing water pollution	yes	
	Anything else?	Temporary supply Water restrictions	
Water Services Development Plan			
Is there a water services development plan?	Yes		IDP 2023/24, p. 154
The validity duration of the plan (which years)	Developed in 2012/13.		IDP 2023/24, p. 168
General Policy Framework			
Is there an Indigent Policy?	yes		Indigent Support Policy, 2023/24

IDP		
Issues	Vast geographical area and number of settlements that require water services poses a challenge to sustainable water services Insufficient natural water supply High population growth related to migrant labour Scattered settlements pose infrastructure problems Large portion of consumers that are poor	IDP 2023/24, p. 221, 227, 168
Resource Efforts		
Financial Resources		
Budget sufficiency (total budget revenue (excl. capital transfers)/ total budgeted OPEX) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports
Revenue coverage % (Total budgeted revenue (incl. capital transfers) / total budgeted CAPEX+ OPEX) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports
Revenue collection rate % (actual revenue collected / budgeted revenue) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports

Capital budget allocated to renewal of existing assets (Amount allocated to renewal / Total capital budget) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports		
Maintenance spending rate % (Total maintenance expenditure / total revenue collected) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports		
Infrastructure Resources				
Current infrastructure value	58 029 000	Budget, Sheet A9, Item 138, Adjusted Budget 20/21		
Human and Skills Resources				
Total number of staff employed in water treatment	32 (30 supervisory, 2 technical)	2023 <i>Blue Drop Report</i> ; p. 49, 51-52		
Supervisor Staff/WTW Ratio	2.7	2023 <i>Blue Drop Report</i> , p. 49		
Technical Staff/WTW Ratio	0.2	2023 <i>Blue Drop Report</i> , p. 51-52		
Staff Shortfall	4 Process Controllers 0 Supervisors 3 Technicians 2 Qualified scientists	2023 <i>Blue Drop Report</i> , p. 49, 51-52		
Total number of staff employed in the water services department (excluding water treatment)	30			
Implementation				
Physical Access				
Physical access to water, number of consumers, and percentage of total consumers. [households]	Communal source +200m	138	1,2%	Koukamma Local Municipality - Services
	Communal source – 200m	637	5,7%	
	Water source in yard	10,388	93,1%	
	Total	11,163		
Piped water inside dwelling	84.2%		Koukamma Local Municipality - Demographic	

Infrastructure backlog	-Sanitation backlogs			
Do schools and clinics have access to water on their premises.	Out of 26 education facilities, 1 does not have access to services and another one has inadequate access to services. Out of 15 health facilities, all have adequate access to water services.			WJT Verification
Economic Access				
Economic access to water.	Free basic water for all	☐		Tariff Policy 2020/21
	Free basic water for Indigent	☒		
	Cross subsidy	☐		
	Prepaid	☒		
Step tariff for households in rand excl VAT. For 2021/22	0 < 6kl	R 8.49		Tariff Policy 2020/21
	7kl < 10kl	R 8.49		
	11kl < 20kl	R 9.41		
	21kl > 40kl	R 11.20		
	41kl <	R 13.62		
	Tariffs differentiate between normal conditions, droughts and abnormal water scarcity.			
Categories of water use:	It appears that one step tariff is used for all types of consumers.			Tariff Policy 2020/21
Tariffs for schools.				Tariff Policy 2020/21
Adequacy				
Number of interruptions in 2024	Not mentioned			
Media reports on outages:	https://www.graaffreinetaadvertiser.com/News/Article/Local-News/da-to-take-extensive-report-on-water-crisis-to-national-government-202504070627 https://www.sabcnews.com/sabcnews/kareedouw-residents-without-running-water-for-almost-10-years/			
Quality				
What is the WSA’s blue drop score?	2023: 24.1% 2011: 14.4%			2023 <i>Blue Drop Report</i> , p. 86-87
Blue Drop Score Improved/Deteriorated (2011-2023)	Improved			
Blue Drop microbiological compliance score	54.5% (5 Excellent WTWs; 6 Unacceptable WTWs)			2023 <i>Blue Drop Report</i> , p. 60
Blue Drop chemical (acute) compliance score	0.0 % (0 Excellent WTWs; 11 Unacceptable WTWs)			2023 <i>Blue Drop Report</i> , p. 60-61
Blue Drop chemical (chronic health) compliance score	59.1 % (5 Excellent WTWs; 6 Unacceptable WTWs)			2023 <i>Blue Drop Report</i> , p. 60-61
Does the WSA have a contract with the lab to test water samples?	Yes			2024/25 Draft Annual Report, p. 114
Green Drop Risk Rating	Critical Risk			2023 <i>Green Drop Report</i> , p. 69

Efficiency		
Blue Drop Water Use Efficiency Score	217 l/p/d (Good)	2023 <i>Blue Drop Report</i> , p. 58
No Drop Score 2021/22	11%	2023 <i>No Drop Report</i> , p. 59
Amount of non-revenue water in liters and in rands value.	R16,93 million in water lost which amounts to 26% of water produced or purchased.	AGSA Web Based Report 2023/24
Main reasons for water losses.	Water losses are associated with leaks, illegal connections and vandalism	
Oversight		
Department of Water and Sanitation		
<i>Blue Drop</i> actions	The Regulator notes the dire state of management and drinking water quality in the Blikkiesdorp, Clarkson, Coldstream, Joubetina, Kareedouw, Krakeel, Louterwater, Misgund, Sanddrif, Storms River and Woodlands water supply system. The WSI is placed under regulatory surveillance and the Municipal Manager is required to submit a detailed corrective action plan within 20 days of publishing of this report. The plan must map the activities, responsible persons, timelines, and expected improvement as outlined in the Regulatory Comment.	2023 <i>Blue Drop Report</i> , p. 87
<i>Green Drop</i> actions	None	2023 <i>Green Drop Report</i> , p. 73
Judicial Oversight		
Where any judgements delivered that involved water services delivery?	yes	
Full citation of judgement.	Mazibuko and Others v City of Johannesburg and Others [2009] ZACC 28	
Summary of judgement and the impact for future water services delivery.	The state has a duty not to interfere with the enjoyment of socio-economic rights. The state does not have a duty to immediately realise the right to water for everyone; instead, the state must take reasonable legislative and other measures to progressively realise the right within available state resources. It is not the place of the court to determine or quantify what is sufficient water. To assess the reasonableness of the legislative and policy measures used: State must be able to show what information it considered and the process it followed to determine its policy. If the process followed is flawed or the information gathered is inadequate or incomplete, appropriate relief may be sought. The Court's evaluation of the City's Free Basic Water Policy: (1) it has different levels of water provision; (2) the city uses pre-paid and credit meters; (3) provision to register as an indigent; (4) it is reasonable to afford basic water to all, rich and poor; (5) it is acceptable to afford basic water on a per household basis and not per	Paras 47, 48, 50, 71, 78-102, 142

	person; (6) water policy was revised regularly; (7) communities too have duties, one such duty is to apply to be registered as an indigent if they wish to claim these benefits. Moving from a deemed consumption system to a pre-paid metered system with a free allocation of basic water is not a retrogressive step. Discontinuation of water for not reloading the meter with credits is not a discontinuation of service as per the Water Services Act and the municipality do not need to follow the giving notice and other related procedures.	
Full citation of judgement.	Government of the Republic of South Africa v Grootboom [2000] ZACC 19	
Summary of judgement and the impact for future water services delivery.	Access to a right, in this case the water right, would include removing barriers to access the right, empowerment measures, and special measures for vulnerable groups. Measures must ensure access over time to a greater number of people that must be guided by targets. This requires legislation, policies, programmes and plans that ensure the implementation of legislation. All vulnerable groups must at least have access to basic service delivery.	
Full citation of the judgement.	Capricorn District Municipality v SANCO [2014] ZASCA 39	
Summary of judgement and the impact for future water services delivery.	Appeal from the High Court, Limpopo Division. Legal Question: Is the interdict given by the HC a competent order? The interdict mandated Capricorn District to repair and replace all leaking pipes and all defective meters within 12 months. In addition, the HC ordered that the WSA may only recover a flat rate of about R70 for water services delivered from affected households. Judgement: The appeal succeeded. The SCA found that the HC cannot order the WSA to replace and repair the leaky pipes because water leakages do not adversely affect consumers. This is because water leakages are not captured by any water meter reflecting what is payable to any consumer. (Bear in mind that the community alleged they were liable to pay for the wasted water.) A court may also not determine the rates as which water services are charged as this is in contravention of the separation of powers.	Paras 25 and 21
SAHRC Reports		
Where any reports received and investigated on the right to water by the SAHRC?	no	
Parliament		
	https://www.parliament.gov.za/press-releases/media-statement-joint-oversight-delegation-urges-eastern-cape-municipalities-accelerate-infrastructure-delivery	
Other Oversight Institutions		
Details of any oversight action taken.	The Public Protector	

Report name	Report of the Public Protector: Systemic investigation into allegations of inadequate and/or lack of provision of essential services and basic infrastructure by various organs of state in certain villages within the province of Eastern Cape. Report 25 of 2023/24	
Details of complaint	The complaints were lodged by Ms Eunice Tsese (Ms Tsese) and sixty-five (65) other members of the public, in terms of the Public Protector Act (the Complainants).	
	No complaint against this WSA.	

Sources:

- Auditor-General of South Africa MFMA Report for 2021/22 <https://mfma-2022.aqsareports.co.za/province/limpopo>
- Department Water and Sanitation Water Services Development Planning Website Tool <https://ws.dws.gov.za/wsdp/Index.aspx#>
- Department Water and Sanitation Municipal Strategic Self-Assessment for year ended in 2022
- Department Water and Sanitation Blue Drop Progress Report 2022
- Municipal Demarcation Board Municipal Powers and Functions Capacity Assessment 2018: Sectoral Report for Water and Sanitation
- Independent Electoral Commission Local Government Elections Dashboard accessed at <https://results.elections.org.za/dashboards/lge/>
- Municipalities of South Africa <https://municipalities.co.za/provinces/view/5/limpopo>
- National Treasury Municipalities Meeting Criteria for Determining Serious Financial problems in Terms of Sections 138 and 140 of the MFMA for the fourth quarter of 2022/23
- WeatherSA Historical Rainmap for July 2022- January 2023 accessed at <https://www.weathersa.co.za/home/historicalrain>
- World Health Organisation Statistics accessed at <https://www.who.int/data/gho/data/indicators/indicator-details/GHO/number-of-diarrhoea-deaths-from-inadequate-water-sanitation-and-hygiene>