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Sent: Thursday, 04 June 2026 11:08
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Subject: URGENT DEMAND: Unlawful Disconnection of Water Supply at Erf 170, Koingnaas / Kamiesberg – Notice of Pending Legal Action and Claim for Damages

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Dear Municipal Manager (Mr. Rufus Beukes) and SAPS Representative,

1. Purpose and Urgent Demand

We write to you on behalf of Eilandpunt Zuid (Pty) Ltd, the lawful registered owner of Erf 170, Koingnaas, to register an urgent and formal complaint regarding the unlawful, unauthorized, and destructive actions of a municipal employee, Mr. Cyril Cook, on the morning of 3 June 2026.

We hereby demand the immediate restoration of our original water supply and connection to Erf 170. Failure to comply with this demand within 24 hours of this communication will result in immediate civil litigation, including an application for a High Court interdict, and the filing of criminal charges for malicious damage to property and unlawful trespassing.

2. Factual Background and Property History

The history and status of Erf 170 are established as follows:

- **Acquisition & Water Rights:** Eilandpunt Zuid (Pty) Ltd purchased Erf 170 directly from the Kamiesberg Municipality. Crucially, the property was sold, transferred, and delivered with two (2) fully authorized and functional water connections.
- **Approved Palm Plantation:** At the time of acquisition, the Kamiesberg Municipality formally approved the establishment of a palm plantation on the property. This plantation is an active agricultural asset that depends entirely on a consistent and uninterrupted water supply.
- **The Incident (3 June 2026):**
 - Yesterday morning, a water leak was detected on the property and promptly reported to the municipality in good faith by Mr. Hartman Beyl (an employee of the property owner).
 - Mr. Cyril Cook arrived on-site representing the municipality to repair the reported leak.
 - Instead of executing a standard repair, Mr. Cook unilaterally, destructively, and without any legal authority disconnected and removed/recovered one of our two legitimate water connections.

- Immediate Financial Damages & Mitigation:
- The sudden and unlawful disconnection immediately starved our palm plantation of water, creating an emergency situation where our agricultural assets were at risk of dying.
- To mitigate these catastrophic losses, we were forced to immediately dispatch personnel on an emergency trip to Springbok to purchase replacement pipes, fittings, and equipment.
- The direct out-of-pocket cost for these materials alone was R2,500.00 (excluding travel, labor, and operational downtime), which was required to temporarily restore water flow to our flow bin.
- Eilandpunt Zuid (Pty) Ltd continues to suffer ongoing operational and financial losses due to this destructive act.

3. Legal Framework and Violations

The actions of Mr. Cyril Cook constitute a severe breach of South African municipal, constitutional, and statutory law. We draw your attention to the attached legal analysis (Legal_Analysis_South_African_Municipal_Law,_Infrastructure,_and_Property_Rights.pdf), which details the following statutory protections:

Statutory Provision	Legal Requirement	Mr. Cyril Cook's Violations
Water Services Act 108 of 1997 (Section 80)	Municipal officials must provide reasonable notice to the owner or occupier before entering private property to repair, maintain, or work on water infrastructure (except in declared, life-threatening emergencies) [3].	Mr. Cook entered private property and performed destructive work (removing a connection) without prior written notice or lawful authorization [3].
Municipal Systems Act 32 of 2000 (Section 101)	Access is granted to read, inspect, or repair meters and connections, but does not permit the arbitrary or destructive removal of authorized service connections [4].	Mr. Cook exceeded his statutory powers (ultra vires) by removing a legally purchased and municipal-approved service connection [4].
Constitution of South Africa (Sections 14 & 25)	Protects citizens and corporate entities against unlawful invasion of privacy and the arbitrary deprivation of property rights [3].	The unilateral removal of the water connection constitutes an arbitrary deprivation of property and a violation of privacy rights [3].

Furthermore, because Mr. Cook entered the property under the guise of performing official duties but instead engaged in the destruction of private utility infrastructure, his actions cross the threshold into criminal liability, specifically malicious damage to property and unlawful trespassing. This is why the South African Police Service (SAPS) is copied directly on this demand.

4. Notice of Pending Legal Action and Financial Liability

Please take formal notice that if the permanent, original water connection is not restored to its fully functional state within 24 hours of this email, we will proceed with the following actions without further notice:

1. High Court Interdict: We will instruct our legal team to file an urgent application in the High Court for an interdict to compel the Kamiesberg Municipality and Mr. Cyril Cook to restore the water connection immediately and to restrain Mr. Cook from entering our property unlawfully in the future [5].

2. Damages Claim: We will hold the Kamiesberg Municipality fully liable for all direct, indirect, and consequential damages. This includes, but is not limited to:

- The R2,500.00 emergency material costs incurred in Springbok.
- All travel expenses, fuel, and labor costs associated with the emergency trip.
- Any loss of agricultural assets (the palm plantation) resulting from water deprivation.
- Full legal costs calculated on an attorney-and-client scale (punitive costs).

3. Criminal Charges: A formal criminal case of malicious damage to property and trespassing will be opened against Mr. Cyril Cook in his personal capacity and as a representative of the municipality.

5. Immediate Action Required

To avoid costly litigation and a formal damages claim, we expect:

1. An immediate written acknowledgement of this email.
2. A dispatched municipal team to fully restore the disconnected water connection to Erf 170 today, 4 June 2026.
3. Written confirmation from the Municipal Manager's office that Mr. Cyril Cook is restricted from entering Erf 170 without adhering to the statutory notice requirements of Section 80 of the Water Services Act [3].

We trust you understand the gravity of this matter and expect your urgent response and action.

Sincerely,
The Directors
Eilandpunt Zuid (Pty) Ltd
Owners of Erf 170, Koingnaas