MINUTES OF A SPECIAL VIRTUAL COUNCIL MEETING OF KOUGA MUNICIPALITY HELD ON FRIDAY, 13 JUNE 2025 AT 10:00 AM

PRESENT: Councillors	J Alexander	
	C August	
	Ald D Benson	
	H Bornman	(Executive Mayor)
	B Dhludhlu	
	R Foley	
	W Gertenbach	
	V Gunuza	
	F Heystek	
	B Human	
	T Jantjes	(Deputy Executive Mayor)
	L Maree	(Speaker)
	M Mbandana	
	E Mbuqu	
	H Murray	
	K Ndzelani	
	M Nicholls	
	L Nkilishane	
	N Ntengwane	
	N Ntshota	
	P Oliphant	
	W Petersen	
	S Ruth	
	G Stuurman	
	M Valgee	
	W van der Linde	
	M van Niekerk	
	Ald B Williams	
	M Yali	
Officials & Municipal Manager	C du Plessis	(Municipal Manager)
	D de Jager	(Deputy Municipal Manager)
	R Lorgat	(CFO)
	N Machelesi	(Director: Community Services)
	C de Kock	(Director: Civil & Water Services)
	T Madatt	(Director: Electro-Mechanical Services)
	L Ramakuwela	(Director: Planning & Development)
	L Opperman	(Manager: Legal Services)
	M Julius	(Senior Admin Officer: Committees)
	Ms D Klopper	(Office Administrator)
	Ms C Prinsloo	(Legal Officer – Speaker Office)
	Mr E Goliath	(Manager: Public Participation)
	Ms M Basson	(Manager : Media & Communications)

2. **NOTICE OF MEETING**

The Speaker read the notice convening the meeting in terms of Section 19 of the Local Government: Municipal Systems Act,2000 (Act No.32 of 2000) that a Special Council Meeting will be held virtually on 13 June 2025 at 10:00 a.m.

3. **OPENING AND WELCOME**

The Speaker welcomed everyone present to the meeting and requested Cllr Foley to open with a prayer.

4. **ABSENT WITH LEAVE**

Cllr Zana

5. **ABSENT WITHOUT LEAVE**

6. **PRESENTATIONS**

None

7. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

Cllr Nkilishane, speaking on behalf of the Economic Freedom Fighters, expressed deep respect for the youth of 1976, acknowledging their leadership in the Soweto Uprising and their role in challenging the apartheid regime. He noted that their struggle extended beyond opposing Bantu Education, which enforced Afrikaans as the language of instruction, and included broader efforts to uplift their communities and resist systemic oppression. He concluded by commending their legacy and expressing gratitude for their contribution to the fight for liberation.

Cllr Alexander conveyed heartfelt condolences to the family who tragically lost both a mother and her son in a fire that occurred earlier in the week. He expressed sincere sympathy and support on behalf of the Council during this difficult time.

Cllr Oliphant, speaking on behalf of the ANC, conveyed sincere condolences to the families affected by the recent adverse weather conditions, particularly in the Mthatha area, where it was reported though still unconfirmed that approximately 78 people had lost their lives. He commended both the Honourable Premier of the Eastern Cape, under the ANC led government, for his swift on-the-ground response, and the President for visiting the affected communities. In addition, Cllr Oliphant expressed sympathy for residents in Ward 1 who lost their homes in a fire that destroyed more than 12 shacks. He concluded by appealing to kind-hearted individuals to assist in rebuilding shelters for those impacted families.

The Executive Mayor extended heartfelt condolences to the families and residents of the Eastern Cape affected by recent flooding. He acknowledged the efforts of Municipal workers in restoring affected areas and shared that she had contacted fellow mayors to offer support. He expressed solidarity and wished the communities strength during this difficult time.

Cllr August extended congratulations to the 13 boys from Jeffreys Bay Primary School and Hankey Primary School who were selected to represent at both the Craven Week and the Academy for under 13 rugby players. She expressed best wishes for their future development and success as they progress in the sport.

8. STATEMENTS OR COMMUNICATIONS BY THE SPEAKER

None

9. STATEMENTS OR COMMUNICATIONS BY THE EXECUTIVE MAYOR

None

10. DISCLOSURE OF INTEREST

11. STATUTORY MATTERS

12. REPORTS OF COMMITTEES OF COUNCIL

12.1 REPORTS BY THE OFFICE OF THE DEPUTY MUNICIPAL MANAGER

25/06/DMM13 AUTHORISATION FOR EXECUTIVE MAYOR TO PARTICIPATE IN THE 2025 PAN AFRICAN CITY SYMPOSIUM & EXPOSITION (PACSE), WHICH WILL BE HELD FROM JUNE 23– 28, 2025, AT THE UNIVERSITY OF THE DISTRICT OF COLUMBIA IN WASHINGTON, D.C.

The Executive Mayor detailed a growing partnership with a U.S. development organisation focused on sustainable investments in African towns, highlighting a pilot project in Thornhill. As a result, he has been invited to speak at a high-level investor symposium in Washington, D.C., with potential for attracting international funding in infrastructure, electricity, and education. He also mentioned a separate opportunity to engage with Syracuse University, which may lead to educational collaboration in the Municipality.

In addition, the Executive Mayor proposed that an additional recommendation 10.2 be included, requesting that a comprehensive report on the outcomes and final costs of the U.S. trip be submitted upon his return. He concluded by emphasising the strategic value of such engagements in attracting investment and gaining international recognition for the Municipality.

Cllr Stuurman expressed appreciation to the Executive Mayor for his efforts and offered full support for his participation in the Pan Africa Symposium. He recognised the initiative's potential, particularly the project in Thornhill, to drive technological innovation, sustainable development, and economic growth in Kouga. He underscored its benefits for marginalised communities and wished the Executive Mayor a safe journey.

Cllr Human voiced strong objections to the Executive Mayor's U.S. trip, questioning its legitimacy, financial transparency, and timing. He criticised the lack of accountability and community engagement, especially given local crises like flooding and youth unemployment.

He demanded a full disclosure of costs, clarity on the itinerary, and delivery of the Executive Mayor's planned speech before Council. He called for a division of votes and denounced the trip as wasteful and misaligned with the community's urgent needs.

Cllr Nkilishane rejected the proposed trip, criticising the continued use of colonial language in Council and highlighting urgent service delivery failures such as unsafe water, electricity outages, and winter fire risks. He condemned the perceived bias in job allocation favouring DA supporters and argued that funds should be redirected to address pressing community needs instead of overseas travel.

Cllr van der Linde raised questions regarding the remaining budget allocated to the Mayor's Office and sought clarity on the financial provisions for the proposed U.S. trip. He emphasised the need to assess the potential benefits of such a visit, referencing previous international engagements particularly trips to Germany that had yielded tangible advantages for the Municipality, such as sponsored studies and equipment. He supported the proposal on the condition that a detailed post-trip report, including full financial disclosure, be submitted to Council.

Cllr Foley voiced support for the Executive Mayor's U.S. trip, emphasising the importance of building partnerships to drive Kouga growth amid declining national funding for infrastructure. He highlighted the strategic value of engaging international funders and welcomed the potential to secure a tertiary education institution for the Municipality. He concluded by offering the Executive Mayor the Council's blessing and expressed anticipation for a full report upon his return.

The Executive Mayor clarified that the upcoming U.S. trip would be conducted with full financial responsibility. He emphasised that he would fly economy, stay in budget accommodations, and disclose all expenses in a post-trip report to Council.

He explained that the trip costs had not yet been finalised, as no bookings could be made without Council approval, and assured that the full available budget would not be used.

The Executive Mayor also stated that the trip was unrelated to a local school's visit to the U.S., which happened to coincide geographically and temporally. He outlined his presentation topics for the U.S. symposium including infrastructure, safety, governance, and investment potential in Kouga and pledged to share the complete presentation with Council upon his return.

The CFO clarified that the UKeys referenced in the report pertain to the 2024/25 financial year, but since the trip occurs across both the current and new financial years, it is permissible to account for the expenses in the current year. The correct UKeys have been used, and there is no need to reference those from the next financial year. Additionally, all expenditures such as bookings will be processed within the current financial period.

Cllr Oliphant raised concerns about the transparency of the U.S. trip funding, requesting details on the original use of the remaining budget and any planned delegates from Thornhill. He also called on the Executive Mayor to disclose any personal affiliations with Global Leadership Academy. He further questioned public support for the trip and emphasised the need for accountability.

Cllr Petersen raised a question of clarity regarding the U.S. trip, expressing concern that the Council item lacked contingency measures to ensure that the Executive Mayor fulfills the stated objectives. He referenced a past incident involving a fishing symposium, where the Executive Mayor reportedly signed the attendance register but did not participate in the sessions, suggesting the need for greater accountability for international engagements.

At 10:43, Cllr Ruth raised a point of order Rule 32.1, Relevance, a member who speaks shall confine his/her speech strictly to the motion or matter under discussion or to an explanation or a question of order.

Cllr Petersen enquired which mechanisms were in place to ensure that the Executive Mayor fulfils the objectives of the U.S. trip as outlined in the item.

Cllr Human expressed concern regarding the lack of cost details in the Council item emphasising the necessity of obtaining at least indicative quotations to evaluate the financial implications of the proposed U.S. trip. He expressed concern that Council was being asked to approve the trip without knowing whether the remaining R150,000 budget would be sufficient, particularly given that the itinerary spans multiple engagements from 23 June to 5 July.

He concluded that the current approval process resembled granting a "blank cheque" without financial accountability.

Cllr Yali expressed frustration at being unable to address his point of clarity in his preferred language, noting the limitations this imposed on meaningful dialogue. He echoed Cllr Oliphant's concerns about the delegation accompanying the Executive Mayor to the U.S. and requested clarity on its composition. He further proposed that, since the Executive Mayor would be on official leave, at least one Councillor should be included in the delegation to ensure proper representation.

The Executive Mayor reiterated that he has no personal ties to GLA, explaining that their overlap in the U.S. is coincidental and based on existing relationships with American citizens in Kouga. He clarified that his primary invitation was to the Pan Africa City Symposium, with subsequent engagements planned in Syracuse. Addressing accountability concerns, he affirmed that he would submit a full post-trip report and welcomed Council scrutiny.

The Executive Mayor explained that the team currently collaborating with the U.S. based organisation in Thornhill consists primarily of the Municipality Community Services team. This includes Director Machelesi and two key managers, Rochelle Ludick, and Christa Venter, who are leading various beautification, educational, and general development initiatives in the area. He added that upcoming phases of the project will also involve the electricity department, with plans to electrify the Tjoks area and several other initiatives underway for Thornhill.

The Speaker called for a division of vote on the approval of the amended recommendations as follows:

J Alexander	In Favour
C August	In Favour
Ald D Benson	In Favour
H Bornman	In Favour
B Dhludhlu	In Favour
R Foley	In Favour
W Gertenbach	In Favour
V Gunuza	Not in Favour
F Heystek	In Favour
B Human	Not in favour
T Jantjes	In Favour
L Maree	In Favour
M Mbandana	Not in Favour
E Mbuqu	Not in Favour
H Murray	In Favour
K Ndzelani	Not in Favour
M Nicholls	In Favour
L Nkilishane	Not in Favour

N Ntengwane	Not in Favour
N Ntshota	Not in Favour
P Oliphant	Not in Favour
W Petersen	Abstain

The Speaker instructed Councillors to mute themselves while she was speaking and warned that fines would be imposed on those who spoke without proper recognition. She then asked Cllr Petersen whether he supported or opposed the amended recommendation.

Cllr Petersen continued to speak in his preferred language.

The Speaker affirmed that, in accordance with the current rules of order, translation services were unavailable during the proceedings. She further requested that participants communicate in either Afrikaans or English to ensure clarity.

In response, Cllr Petersen stated that it was not his concern and proceeded to make derogatory remarks about Cllr Benson.

The Speaker requested that he retract his statement.

Cllr Petersen continued using inappropriate language toward Cllr Benson.

At 10:55, Cllr Petersen was formally fined for speaking out of turn, and by 11:00, due to continued disruptions, he was referred to the Rules and Ethics Committee.

The vote continued as follows:

S Ruth	In Favour
G Stuurman	In Favour
M Valgee	Not in Favour
W van der Linde	In Favour
M van Niekerk	In Favour
Ald B Williams	In Favour
M Yali	Abstain

It must be noted that the following Councillor was not present for the vote:

Cllr V Zana

The Speaker announced the result as follows:

In Favour: 17

Not In Favour: 10

Abstain: 2

Resolved: (13 June 2025)

1. That Council approves the Executive Mayor's participation at the 2025 Pan African City Symposium & Exposition (PACSE).

2. That a full closeout report, including the final costs of the trip, be presented to the Council upon return.

Proposed: Cllr H Bornman   Seconded: Cllr G Stuurman

13. **MATTERS DEALT WITH IN TERMS OF DELEGATED AUTHORITY BY THE EXECUTIVE MAYOR**

(The reports by the Executive Mayor, in terms of the provisions of Section 63 of the Local Government Municipal Systems Act, 32 of 2000, on matters dealt with by the Executive Mayor in terms of delegated authority as detailed in the Minutes to be noted).

14. **REPORTS BY THE EXECUTIVE MAYOR**

14.1 **REPORTS BY THE PORTFOLIO CHAIRPERSON: PLANNING AND DEVELOPMENT**

25/06/PD12 REQUEST FOR COUNCIL'S APPROVAL FOR THE APPOINTMENT OF MR ADRIAN THORNE AS BUILDING CONTROL OFFICER

Cllr van der Linde expressed concern over the proposed appointment process due to the absence of candidate information. He highlighted that no curriculum vitae or documentation outlining qualifications had been provided to Council. Without such essential details, he argued that Council cannot make an informed or accountable decision regarding the appointment.

The Director: Planning and Development addressed concerns regarding the appointment process by confirming its compliance with the criteria outlined in the National Building Regulations. He stated that the appointment was facilitated through the Human Resources department and that the selected candidate, Mr. Thorne, meets all required qualifications, including over six years of relevant experience.

Additionally, Mr. Thorne has served as Acting Principal Control Officer (PCO) for approximately two years. While acknowledging queries about the absence of candidate CVs in the Council documentation, the Director emphasised the candidate's suitability based on his qualifications and professional track record.

Cllr Oliphant, invoking a matter of urgency, requested to table a motion referred to as a "motion of Gen Z" expressing a vote of no confidence in the Speaker.

He cited the suppression of vernacular language in Council proceedings as the basis for this motion and sought immediate consideration of the matter.

In response, the Speaker noted that the proposed motion should have been raised at the start of the meeting and formally submitted. She emphasised that such motions are typically expected from the Chief Whip of the relevant party.

At 11:11, Cllr Oliphant received an official warning from the Speaker for not speaking in the languages prescribed for proceedings.

At 11:12, a fine was issued to Cllr Oliphant for failing to comply with the Speaker's directive to use a language that is officially recognised and understandable by Council.

Cllr van der Linde voiced continued dissatisfaction with the appointment process, stressing that Council is being asked to approve a candidate without reviewing CVs or qualifications. He cautioned against relying solely on HR internal assessments, recalling previous instances where similarly endorsed individuals failed to meet the required competency standards. He maintained that without direct access to the candidate credentials, he could not support the appointment.

Cllr Petersen reiterated that the Council's primary oversight role is to verify whether the proposed appointee meets the qualification requirements outlined in Section 5(2) of Act 103 of 1977. He emphasised that matters related to procurement or HR processes, such as shortlisting and interviews, fall outside Council's purview.

While he acknowledged Cllr van der Linde's concerns, he clarified that the only additional information required by Council should be confirmation of the candidate's compliance with the statutory qualifications and that this detail should have been included in the submitted item.

The Director: Planning and Development reiterated that the intent of the item presented to Council was solely to seek endorsement for an appointment already processed administratively through HR. He emphasised that the appointment complied with legislative requirements and was not meant for detailed scrutiny by Council.

While acknowledging Councillors' interest in reviewing the candidate's CV, he explained that the omission stemmed from the belief that such detail was unnecessary given Council's limited role in the administrative process.

Cllr van der Linde formally objected to the item.

Cllr Petersen expressed support for the appointment of Mr. Adrian, while proposed that Council be provided with the outstanding documentation related to the candidate's qualifications.

Cllr Human voiced support for Cllr Petersen proposal to approve the appointment of Mr. Adrian, provided that the outstanding documentation be supplied.

Resolved: (13 June 2025)

1. That Council approves the appointment of Mr Adrian Thorne as the Building Control Officer in accordance with Section 5 of NBR.

2. That a certificate of liability be signed by the Accounting Officer for Mr Adrian Thorne

3. That Mr Adrian Thorne's CV be distributed to Councillors.

Proposed: Cllr W Petersen Seconded: Cllr B Human

15. **CLOSURE**

The meeting closed at 11:21.

LMaree

L MAREE
SPEAKER

5 August 2025

DATE