MINUTES OF AN VIRTUAL ORDINARY COUNCIL MEETING OF KOUGA MUNICIPALITY HELD ON THURSDAY, 28 MAY 2026 AT 10:00 AM

PRESENT: Councillors	J Alexander	
	C August	
	Ald D Benson	
	H Bornman	(Executive Mayor)
	B Dhludhlu	
	R Foley	
	W Gertenbach	
	A Hendricks	
	F Heystek	
	T Jantjes	(Deputy Executive Mayor)
	L Maree	(Speaker)
	M Mbandana	
	B Moos	
	K Ndzelani	
	M Nicholls	
	N Ntengwane	
	N Ntshota	
	P Oliphant	
	W Petersen	
	C Pietersen	
	S Ruth	
	G Stuurman	
	M Valgee	
	W van der Linde	
	M Yali	
	V Zana	
Officials & Municipal Manager	C du Plessis	(Municipal Manager)
	D de Jager	(Deputy Municipal Manager)
	C de Kock	(Director: Civil & Water Services)
	N Machelesi	(Director: Community Services)
	T Madatt	(Director: Electro-Mechanical Services)
	N Swart	(Manger: Asset and Investments)
	L Opperman	(Manager: Legal Services)
	T Mphohoni	(The Chief Planner)
	C Grootboom	(Manager: Land & Property Administration
	A Koegelenberg	(Manager: PMS)
	E Goliath	(Manager: Public Participation)
	C Prinsloo	(Legal Officer: Office of the Speaker)
	D Klopper	(Office Administrator: Office of the Speaker)
	K Minnaar	(Manager: Special Programmes)

M Basson	(Manager: Media & Communication)
S Mlonyeni	(Communication Officer)
R Klaasen	(Media Liaison Officer)
Z Njikelana	(Media Liaison Officer)
M Rossouw	(Manager: Administration & Auxiliary Services)
R Swart	(Committee Officer)
L Cweya	(Committee Officer)
M Mitchell	(Committee Clerk)
N Dlova	(Committee Clerk)

Councillors are required to comply with the Standing Rules and Orders of Council and all its Committees By-law as promulgated in the Provincial Gazette on 29 April 2026 No.5131 and applicable to this meeting of Council. Any person who willfully contravenes any provision of these rules shall be guilty of an offence and which contravention shall be dealt with in accordance with the disciplinary procedures for Councillors.

1. **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 an Ordinary Council Meeting will be held virtually on 28 May 2026 at 10:00 a.m.

2. **OPENING AND WELCOME**

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

3. **ABSENT WITH LEAVE**

E Mbuqu
L Nkilishane

R Lorgat	(CFO)
L Ramakuwela	(Director: Planning & Development)

4. **ABSENT WITHOUT LEAVE**

Cllr Gunuza

5. **PRESENTATIONS**

None

6. **ACKNOWLEDGEMENTS, CONDOLENCES & CONGRATULATIONS**

The Executive Mayor conveyed condolences to Cllr Oliphant on the loss of his grandchild and acknowledged the pain experienced by the family.

Ald Benson announced several birthdays, including those of Cllr Ruth, Cllr Foley, Cllr August, Cllr Ntshota, Director de Kock, Cllr van Niekerk, and Cllr Valgee.

Cllr Mbandana expressed condolences on the passing of Mamma Witbooi and raised concern regarding elderly applicants who die before receiving housing assistance. Cllr Mbandana congratulated the Amandla Omoya Trust and Mr Freddy van Rooyen for their contribution to community development projects.

Cllr Ndzelani offered condolences to the family of Mamma Meisie Madikane following the recent loss of a son and husband.

Cllr Zana also extended condolences to Cllr Oliphant and the Oliphant family on their bereavement. He further congratulated Bafana Bafana on World Cup qualification, Mamelodi Sundowns on continental success, and Orlando Pirates on winning the Premiership, and further wished ANC branches success in their branch general meetings.

Cllr W Petersen indicated that he was experiencing difficulty continuing his remarks due to interruptions, noting that English was not his mother tongue.

He proceeded to congratulate the Lynx Royal House in the Eastern Cape on reaching a further milestone in the recognition process, stating that the process was entering its final stage, during which the first five applications would proceed to the concluding phase scheduled to take place from the 1st to the 5th, involving various regions including Sundays River Valley and Ndhlambe, among others.

He further noted that this formed part of a long-standing recognition process regarding the identity of the Khoisan communities, and extended his congratulations and best wishes for the final stage of the process, which he indicated was expected to take place in Quebec.

Cllr W Petersen also acknowledged the community of Knofelskraal, commending their continued resolve in defending what he described as indigenous land belonging to the Khoisan, which he stated had been dispossessed through colonial processes.

At 10:25, the Speaker interjected and instructed Cllr W Petersen to adhere strictly to contributions limited to congratulations, condolences, and acknowledgements. The Speaker reiterated this instruction and issued a warning to Cllr W Petersen.

Cllr W Petersen stated that he was adhering to the Speaker's instruction and indicated that he was acknowledging the struggle of the community of Knooflokskraal. He further referred to alleged attempts to evict the community from land, which he stated belonged to indigenous people, and expressed support for their stance in what he described as a process of land restitution.

Cllr August congratulated Mr Andries Amsterdam on his 100th birthday and wished him continued blessings, noting that he remains active and in good health.

Cllr August congratulated Mr Andries Amsterdam on his 100th birthday and wished him continued blessings, noting that he remains active and in good health.

Cllr Dhludhlu congratulated the DA on its voter registration campaign launch, commended the NPA for securing a conviction in an assault case involving a Councillor, and congratulated residents of Ward 2 and Ward 14 for community action, while also making remarks regarding local funding priorities.

Cllr Oliphant thanked members, officials, schools, the Department of Education, ANC structures, and churches for their support during the illness and passing of his grandson.

Cllr C Pietersen from the Patriotic Alliance (PA) congratulated the communities of Ward 14 and Ward 2 on a successful and well-supported march held the previous day and commended the leadership for the effective coordination and execution of the event.

7. **STATEMENTS OR COMMUNICATIONS BY THE SPEAKER**

Honourable Mayor and Members of the Council, Officials, Online Guests, colleagues,

Good Morning

The sunrises and sunsets at this time of the year are truly spectacular and remind us daily of the beauty and privilege of living in our area. Even during challenging times, nature has a way of giving us moments of peace and perspective.

I would like to compliment the administration and the mayor for presenting us today with the new financial budget. Municipalities across the country are under pressure as we continue to feel the impact of rising fuel costs and increasing operational expenses. At the same time, the ongoing flood clean-up operations continue to place additional strain on resources. Despite these challenges, the commitment shown by our officials and staff to keep services running and communities supported is highly commendable.

Congratulations must also go to South Africa for once again achieving gold at the prestigious Chelsea Flower Show in the UK. This achievement showcases the incredible creativity, talent, and resilience of South Africans on an international stage and gives all of us a reason to feel proud.

I also want to thank Councillors, directors, and the administration once again sincerely for continually going the extra mile for our residents. So

much of the hard work often happens behind the scenes, yet it makes a meaningful difference in the daily lives of our communities. It is an honour to serve alongside such dedicated individuals, and I feel truly proud to be part of a municipality that remains committed to its people, even in difficult circumstances.

Thank you.

8. **STATEMENTS OR COMMUNICATIONS BY THE EXECUTIVE MAYOR**

The Executive Mayor conveyed condolences to the family of Cllr Oliphant and acknowledged the difficult series of disasters experienced during the year, including fires, foot-and-mouth disease outbreaks, drought conditions, and recent flooding. He expressed appreciation to the municipal administration, Municipal Manager, directors, and staff for their sustained efforts in disaster response and service delivery.

He raised concerns regarding the level of support received from the provincial government during recent disasters, noting delays and limited engagement in contrast to his expectations. He further referenced a lack of response during both the flood and animal disease outbreaks, expressing disappointment with the coordination and assistance from provincial authorities.

The Executive Mayor highlighted positive developments, including the successful hosting of the Mayoral Cup, and commended participants, sporting organisations, and municipal staff for their contribution to the event. He emphasised the importance of sport in youth development and community upliftment.

He noted that Council was tabling the Integrated Development Plan (IDP) and budget for the new financial year, commending officials for extensive preparation and consultation. He described the budget as pro-poor, citing increased indigent support, improved service allocations, and efforts to limit tariff increases.

He further referred to the Spatial Development Framework (SDF), currently undergoing public participation, describing it as critical for guiding future municipal growth and development. He raised concerns regarding infrastructure capacity in relation to anticipated national development plans and population influx, stressing the need for coordinated planning to ensure sustainable service delivery.

In closing, he thanked the Speaker, Municipal Manager, Senior management, and staff for their work and noted progress in the Municipality's performance and recognition at national level, while emphasising the need to maintain momentum and continue improving service delivery.

9. **DISCLOSURE OF INTEREST**

None

10. **STATUTORY MATTERS**

None.

11. **MINUTES OF PREVIOUS MAYORAL COMMITTEE MEETING FOR INFORMATION**

None

12. **CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING**

12.1 **MINUTES OF AN ORDINARY COUNCIL MEETING HELD ON 29 APRIL 2026**

Resolved: (28 May 2026)

1. That the amended Minutes of an Ordinary Council meeting held on 29 April 2026 be approved.

Proposed: Cllr B Moos Seconded: Cllr G Stuurman

13. **REPORTS OF COMMITTEES OF COUNCIL**

13.1 **REPORT BACK: SARAH BAARTMAN DISTRICT MUNICIPALITY REPRESENTATIVE**

None

13.2 **KOUGA AUDIT COMMITTEE**

None

13.3 **RULES & ETHICS COMMITTEE**

None

13.4 **MUNICIPAL PUBLIC ACCOUNTS COMMITTEE**

26/05/MPAC1 MUNICIPAL PUBLIC ACCOUNTS COMMITTEE(MPAC): UNAUTHORISE EXPENDITURE FOR 2024/25 AUDIT REPORT

Cllr Mbandana requested clarity on the meaning of "unauthorised expenditure," asking whether it refers to spending outside approved budgets, misallocated funds, or other financial adjustments, and further enquired the MPAC Chairperson to explain why certain items are classified under that category.

The Manager: Asset and Investment explained that the "unauthorised expenditure" was a non-cash accounting

adjustment required under GAAP, relating to provisions for water losses and impairment of traffic fines. He stated that it was classified as unauthorised because no budget had been set aside for these accounting provisions.

Cllr Mbandana requested clarity on the classification of "unauthorised expenditure," asking whether it relates to uncollected traffic fines or water losses identified by the Auditor-General and sought further explanation on the underlying cause of these variances.

The Manager Asset and Investment explained that the item is a non-cash accounting provision required under GAAP for expected non-collection of revenue, particularly traffic fines. He explained that municipalities must estimate the portion of fines unlikely to be collected, and in this instance the adjustment exceeded the approved budget provision, resulting in its classification as unauthorised expenditure.

At 12:36 Cllr van der Linde requested permission from the Speaker to briefly leave the meeting in order to visit the doctor.

Cllr Oliphant enquired whether the Municipality is generating revenue for Kouga in its agency function for the provincial Department of Roads and Transport, whether any funds are owed to the province, and suggested that the province should possibly take over the function depending on the response. He also raised concerns about alleged incidents of theft and security issues.

The Speaker responded that the matter under discussion was a non-cash item and indicated that the question on revenue was not relevant to the item being debated, noting that the Councillor's speaking time had expired.

Cllr W Petersen indicated that he was not in support of the item.

The Speaker called for a vote for as follows:

In favour: 17
Not in favour: 7
Abstain: 1

Resolved (28 May 2026)

1. The Municipal Public Accounts Committee, at its meeting held on 24 March 2026, Resolved to Recommend to Council:

    1.1 That the unauthorised expenditure is irrecoverable.

1.2 That the unauthorised expenditure amount of R34 760 307 be written off in line with s32 (2)(a)(ii).

14. **REPORT BACK: MUNIMEC**

None

15. **REPORTS BY THE OFFICE OF THE MUNICIPAL MANAGER**

26/05/MM1 **INSTITUTIONAL PERFORMANCE REPORT: 2025/26 FINANCIAL YEAR: PERIOD 1 JULY 2025 TO 31 MARCH 2026**

Cllr Ndzelani raised concerns about poor service delivery and questioned accountability in budget implementation and performance management, citing ongoing water supply problems and deteriorating road conditions, particularly in Ward 6 and other township areas. He expressed frustration over repeated service complaints and stated that development in Black communities remains inadequate. He concluded by indicating that he does not support the item.

Cllr Mbandana highlighted ongoing service delivery challenges, including intermittent water shortages affecting schools such as Masisebenze School as well as flooding in various areas. He raised concerns about lack of infrastructure maintenance, law enforcement, and drainage issues in several communities, and criticised uneven development despite agricultural and economic contributions from affected areas. He further acknowledged some improvement in administrative leadership but stated that overall service delivery gaps remain significant and questioned when these issues would be resolved.

Cllr W Petersen raised concerns about institutional performance and argued that service delivery is uneven across different areas, alleging better performance in more affluent areas compared to townships. He challenged the administration to take greater responsibility for local service delivery instead of attributing issues to provincial government and cited road maintenance as an example of Municipal responsibility. He concluded by criticising what he described as unequal or biased application of the budget and called for fair service delivery across all communities.

Resolved (28 May 2026)

1. That the 2025/26 Quarter 3 Performance Report be considered.

2. That all areas of underperformance be discussed at Portfolio Committee and Top Management level to determine and agree on corrective actions to be implemented and monitored to ensure targets are achieved by year end.

26/05/MM2 **ADDENDUMS TO 2025/26 PERFORMANCE PLANS OF SENIOR MANAGERS FOLLOWING AMENDMENTS TO THE 2025/26 SERVICE DELIVERY AND BUDGET IMPLEMENTATION PLAN**

Cllr Zana suggested that Councillors should have a workshop to better understand performance agreements, linking them to the IDP, budget, and service delivery plans. He said this would help Councillors make more informed decisions and understand how senior managers' performance is assessed.

The Executive Mayor agreed with the Cllr Zana for a workshop and supported it. He clarified that the item under discussion is not about approving performance bonuses, but only about adjusting performance targets.

Resolved (28 May 2026)

1. That the addendums to the performance plans of Senior Managers aligned to the amendments to the 2025/26 Service Delivery and Budget Implementation Plan as approved by Council Resolution 26/03/MM/4 dated 30 March 2026, be noted.

2. That the amended Performance Agreement be made available on the Municipal Website.

16. **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).

17. **REPORTS BY THE PORTFOLIO COMMITTEE CHAIRPERSONS**

17.1 **REPORTS BY THE CHAIRPERSON: FINANCE & ECONOMIC DEVELOPMENT**

26/05/FED1 **SUPPLY CHAIN MANAGEMENT: S36 DEVIATIONS FOR THE MONTH: APRIL 2026**

Cllr Zana requested clarity on the deviation item pertaining to the appointment of a contractor. He enquired whether the appointment was related to the Hankey 990 Project and whether it constituted a subsequent phase of the project following the non-achievement of the targets set during the previous phase. He also enquired why multiple Councillors are included in the same deviation, whether the same service provider is being used, and raised concerns about possible fruitless and wasteful expenditure given the end of the Council term. He further

questioned the risk of proceeding without full information and why certain individuals are involved in the matter.

Cllr Mbandana questioned the basis of a deviation item involving Rudcor asking why the company is being considered despite unresolved work, including around 56 unconnected toilets, and raised concern about what he described as a possible "golden handshake" of nearly R1 million. He also requested clarity on the legal matter involving Freddie van Rooyen, noting that a new attorney had reportedly been appointed after the previous one withdrew.

He further supported concerns raised by other Councillors about related legal and deviation matters, questioning the purpose of proceeding so close to the end of the current term. He argued that such decisions could risk wasting funds that could otherwise be used for service delivery needs such as pothole repairs and graveyard fencing, especially if there is a future change in political leadership.

The Manager: Asset and Investment explained that the Rudcor matter is not a new deviation but a continuation of a previously approved deviation.

The Director: Civil and Water Services clarified that the Rudcor deviation is not a new matter but stems from a previously reached settlement agreement, with an amount of R663,000 reflecting that agreement. He confirmed that it forms part of an existing approved deviation rather than a new one.

He further explained that the item raised by Cllr Mbandana relates to Phase 2 of the Hankey project, while the institutional performance item refers to Phase 3, meaning they are separate phases of the same broader project.

The Manager Legal Services clarified that the deviation under CW Malan is mainly a continuation of an existing legal matter rather than a new process. The legal case (F van Rooyen matter) has been transferred to another attorney but still remains recorded under the original supply chain description from the 2024/25 financial year. Because the matter is ongoing, it had to be reapproved in the 2025/26 financial year, although the description remains unchanged for administrative purposes. The expenditure reflected in the report relates specifically to the F van Rooyen case.

Cllr W Petersen questioned an ongoing legal matter and asked for clarity from Mrs Opperman on whether a court case initiated by Municipal Manager against the MEC of COGTA was related to attempts to have him removed from Council. He argued that such legal action would amount to fruitless expenditure and a

waste of ratepayers' money. He also raised concerns about the relevance of naming individuals and stressed that he wanted clear confirmation on whether the case in question was indeed linked to the matter being discussed or if it was a separate issue.

The Manager: Legal Services clarified that the van der Westhuizen matter being discussed is not the same matter referred to involving the MEC.

Cllr Mbandana questioned payments made to attorneys in a legal matter, specifically asking whether the fees charged were in line with Legal Practice Council rules given that the attorneys had withdrawn from the case. He also enquired whether the Municipality had obtained a legal opinion from van der Westhuizen on the matter, suggesting that clarification was needed on the legality and correctness of the process followed.

The Manager: Legal Services clarified that the matter is a claim against the Municipality and is being defended by CW Malan on behalf of the Municipality. She explained that CW Malan is not a firm appointed by the Municipality in the usual sense but is acting in a legal capacity to defend the Municipality in that specific case.

Cllr Zana sought clarity on the Municipality's legal case against the MEC, questioning its likelihood of success and whether continuing with the case could result in fruitless and wasteful expenditure. He raised concerns about the matter potentially continuing beyond the current Council term and what would happen if the Councillors involved were no longer in office when the case is resolved.

The Manager: Legal Services explained that the report on ongoing legal matters is contained in the confidential agenda. She indicated that updates on the case will be provided within that confidential section and declined to discuss the matter further in the open meeting due to its sensitive and confidential nature.

Cllr W Petersen stated that taxpayers' money should not be wasted, regardless of race, and argued that all residents contribute to Municipal funding. He stated that he opposes the item on the grounds that it involves wasteful expenditure of public funds.

The Speaker called for a vote for as follows:

In favour: 17
Not in favour: 7
Abstain: 1

Resolved (28 May 2026)

1. That the Deviation report for the month of April 2026 be approved by Council.

26/05/FED2 **CAPITAL ITEMS TO BE DISPOSED (CONDEMNED ASSETS)**

Cllr Heystek sought clarity on how Municipal assets are valued for disposal, specifically questioning who determines the estimated values listed in the report. He used the example of a Nissan NP300 valued at R3,143 and asked whether this amount is the expected selling price or a minimum value. He also wanted to know whether the assets will be sold through auction or another process.

Cllr Zana requested clarity on why some laptops and other items listed in the report did not have values reflected. He further enquired whether low-value assets that were still in working condition could be donated to non-profit organisations (NPOs), as previously proposed, instead of being disposed of.

The Manager: Assets and Investments explained that the values reflected in the report were the carrying values of the assets after depreciation. He further confirmed that functional assets may be donated to NPOs upon request through the Office of the Municipal Manager.

Resolved (28 May 2026)

1. That the disposal of the condemned/redundant assets listed below be approved by Council.

2. That the condemned/redundant assets listed below be removed from the Asset Register.

3. That the condemn/redundant assets listed below be disposed of in terms of the Supply Chain Management Policy through a public auction / donation.

17.2 **REPORTS BY THE CHAIRPERSON: PLANNING & DEVELOPMENT SERVICES**

26/05/PD1 **TITLE DEED WAIVER FOR TRANSFER OF IMMOVABLE PROPERTY, ERF 5408 JEFFREYS BAY, SOLD TO MR. AND MRS. MATODLANA**

Cllr Mbandana supported the item and raised concerns regarding unresolved RDP housing ownership discrepancies in Patensie. He called for these matters to be addressed and suggested that similar cases be audited and dealt with collectively to improve efficiency.

Cllr Oliphant expressed support for the item and requested tittle deed matters be presented to Council collectively rather than

as individual cases. He emphasised the need to utilise these properties effectively to address the housing needs of residents living in inadequate conditions.

Cllr W. Petersen expressed support for the item, and he agreed that title deed matters be presented to Council collectively rather than as individual cases. He emphasised the importance of security of tenure for residents, noting that title deeds provide access to opportunities such as obtaining finance from financial institutions.

Resolved (28 May 2026)

1. That Council authorizes the Accounting Officer to waive the obsolete condition set out in paragraph C in title deed T67744/2004.

2. That Council authorizes the Accounting Officer to direct formal correspondence to the conveyancer attorneys appointed for the transfer and the Registrar of Deeds – Qonce to confirm the waiver;

3. That any financial implications arising be for the purchaser's expense.

26/05/PD2 **REQUEST FOR COUNCIL TO APPROVE A FIXED FEE ON APPLICATIONS FOR PERMANENT DEPARTURE TO RELAX PARKING REQUIREMENTS WITHIN THE JEFFREYS BAY CENTRAL BUSINESS DISTRICT (CBD)**

Cllr Heystek expressed support for the proposed change, noting that current parking and spatial planning requirements posed challenges for developers interested in investing in the CBD. He stated that the amendment would facilitate much-needed development in the area, while emphasising the importance of maintaining a balance between development needs and the provision of adequate parking.

Cllr Mbandana emphasized the importance of ensuring that development initiatives not only generate revenue but also benefit all areas within the Municipality, including Patensie, Hankey, and St. Francis Bay. While supporting development, he stressed that the focus should remain on initiatives that provide revenue and assistance to residents in need and expressed hope that the item could proceed in this context.

Cllr Zana indicated that he supports the item but sought clarification on how the current development proposal for parking bays in Jeffreys Bay would align with the existing or planned precinct plans for the town, similar to those previously undertaken in Hankey, St. Francis Bay, and Humansdorp. He highlighted the possibility that space requirements under the precinct plan may necessitate renegotiation in the future and

requested confirmation on how the plans would interface.

The Executive Mayor explained that the item is not related to a zoning scheme but aims to make the CBD more development friendly. He noted that current parking requirements in Jeffreys Bay's CBD pose challenges for developers, and this measure is intended to facilitate compliance with parking obligations while stimulating growth and investment in the area.

Cllr W Petersen sought clarification regarding the terminology and legal framework governing temporary departures for parking in the CBD. Drawing on his experience in Municipal planning, he explained that zoning schemes are area-specific and approved by Council, while SPLUMA is national legislation. He noted that the National Building Regulations prescribe the number of parking spaces per building, and that temporary departures can only be granted by Council as discretionary measures.

He emphasised that permanent departures would require amendments to title deeds, and that parking rights allocated to a property are rights attached to the property itself, not the individual owner. He expressed concern that the current proposal should clearly define whether the Municipality intends to provide leased parking on the road reserve for businesses, stressing that such arrangements must be temporary, generate revenue for the Municipality, and comply with legal requirements.

The Chief Planner clarified that temporary departures are intended to be exercised on a temporary basis and may be reverted to the original use or intended use of the property. He explained that permanent departures, in contrast, allow for the permanent enjoyment of rights and do not have a direct implication on title deeds.

He emphasised that there is a clear distinction between temporary and permanent departures and indicated that the intent of the item should be clearly articulated to reflect this distinction.

The Chief Planner further explained that a process or fee may be applied to residents and businesses in lieu of providing on-site parking. He confirmed that parking departures would continue to be processed in accordance with applicable legislation. He noted that the proposed approach would be cost-effective and would direct parking to areas already designated for public use, benefiting both businesses and the public.

Cllr Oliphant requested clarity on whether there would be a public participation process for the item, indicating that he

would not support it unless proper clarification was provided through public participation and Councillor engagement.

Cllr W Petersen requested clarification on the distinction between temporary and permanent departures, stating that he did not receive a satisfactory response to his earlier questions.

The Chief Planner clarified that temporary and permanent departures differ significantly. He explained that a temporary departure allows a person to use the property for a limited period, typically not exceeding five years, whereas a permanent departure grants rights or enjoyment of the property on a permanent basis, such as adherence to building lines. He further noted that neither temporary nor permanent departures have a direct link to title deeds; the distinction lies solely in the duration and nature of the rights granted.

Cllr W Petersen indicated that he opposed the item on the basis that, if it involves a permanent departure, it should be subjected to a public participation process to obtain input from the public regarding the use of parking areas by private businesses. He stated that both public interest and business interests must be considered and emphasised the need to ensure that public concerns are adequately addressed to avoid potential disputes or dissatisfaction.

The Executive Mayor explained that the item is simply about reducing the fee businesses pay the Municipality for parking when they cannot provide it themselves. It does not involve permanent land allocation, only making parking provision more affordable while ensuring the Municipality supplies the required spaces.

Cllr Jantjes clarified that his comments were limited to the financial aspect of the item. He noted that public participation was already addressed in the broader Local Spatial Development Framework (LSDF) process, but this specific item concerns reducing the parking fee in the Jeffreys Bay Central Business District to support development. He concluded by suggesting the item be put to a vote.

Cllr W Petersen stated that he had no objection to the reduction of the fee but raised concern that public parking is being allocated for use by private businesses. He emphasised that the public are the custodians of such parking and argued that public participation and approval should first be obtained before Council takes a decision to allocate the parking for a fee to private users.

The Speaker called for a vote:

In favour 16
Not in favour 9
Abstain 0

Resolved (28 May 2026)

1. That Council approves a fixed amount of R20 000 per parking bay within the Jeffreys Bay Central Business District.

2. That all parking contributions be ringfenced for upgrading of municipal parking for public use.

3. That Council grants permission for a developer to formalise municipal parking in leu of financial contribution on condition that the cost may not be less than the financial contribution.

17.3 **REPORTS BY THE CHAIRPERSON : COMMUNITY & SAFETY SERVICES**

26/05/CSS2 KOUGA MAYORAL CUP 2026

Cllr Zana raised concerns regarding the Mayor's Cup report. He noted that while many teams participated in various sporting activities, the report did not specify the winners in sports such as rugby, soccer, and netball, leaving Councillors uninformed.

He also expressed concern about the expenditure involved in hosting the tournament.
Cllr Zana suggested that going forward, the Municipality should seek partnerships and sponsorships to support the event, rather than relying solely on Council funds. He recommended that such partnerships could help provide sporting equipment, attract scouts, and make the tournament more developmental and sustainable for future years, rather than focusing only on the number of spectators.

The Executive Mayor agreed with the comments raised and indicated that the issue of prize money and funding for the Mayor's Cup has been under discussion with sporting teams over time. He stated that while there is a desire to increase funding, budget constraints limit the municipality's ability to do so, particularly if the tournament is expanded to include more sporting codes.

He noted that the Municipality is actively engaging with potential sponsors to support the event. He emphasised the importance of sport in communities and expressed support for strengthening partnerships to increase prize money and enhance the impact and sustainability of the Mayor's Cup.

Cllr Mbandana supports the initiative, emphasizing that sports associations should coordinate through a central body for better organization. He urges a single, centralized fund to ensure fair distribution and avoid fragmented fundraising. Overall, he strongly endorses moving the initiative forward.

Cllr W Petersen sought clarification from the Executive Mayor regarding golf clubs and the Mayoral Cup. He enquired why golf clubs were selectively chosen, why they must pay to participate when other sports clubs do not, and how the funds raised from the golf tournament are used.

The Director: Community Services stated that the Mayor's Cup is administered by a committee comprising representatives from the Mayor's Office and the Municipal administration. She further explained that the selection of participants, including golf clubs and players, was undertaken through this committee structure and not by individual decision-making.

Cllr W Petersen objected to the item on the basis that the report did not provide sufficient information to enable proper consideration thereof.

The Speaker Called for a vote:

In favour 17
Not In favour 5
Abstain 1

Resolved (28 May 2026)

1. That the Council approve the payment of an amount of R230,000.00 as prize money to the sporting codes that participated in the 2026 Kouga Mayoral Cup Games during the 2025/26 financial year as follows:

NO	SPORTING EVENTS	AMOUNT
1	Rugby	R 20 000.00
2	Soccer	R 20 000.00
3	Netball	R 20 000.00
4	Cricket	R 20 000.00
5	Tennis	R 6 000.00
6	Touch Rugby	R 20 000.00
7	Basketball	R 6 000.00
8	8 Ball Pool	R 20 000.00
9	Gymnastics	R 6 000.00
10	Volleyball	R 6 000.00
11	Angling	R 20 000.00
12	Chess	R 20 000.00
13	Darts	R 20 000.00
14	Bowling	R 6 000.00
15	Boxing	R 6 000.00
16	Padel	R 8 000.00
17	Weightlifting	R 6 000.00
	TOTAL	**R 230 000.00**

VOLUME 2

19. **REPORTS BY THE OFFICE OF THE MUNICIPAL MANGER**

26/05/MM3 ADOPTION OF THE ANNUAL REVIEWED 2026/2027 INTEGRATED DEVELOPMENT PLAN (IDP)

The Executive Mayor stated that the Integrated Development Plan (IDP), which covers the remainder of the current term and part of the next, was critical for adoption and commended the Municipal Manager and directors for their work in compiling it. He further proposed that minor corrections, including adjustments related to ward boundaries and other small issues, be submitted in writing within the available timeframe so that they could be incorporated before finalisation and submission of the document to the Provincial Government.

Cllr Ntshota stated that the African National Congress supported the inclusion of clear ward-based budgeting in ward IDPs to ensure communities could see how much funding was allocated and spent in each ward. She also pointed out an error on page 56.

Cllr Ndzelani stated that the ANC did not support the IDP and budget, as they did not appear to adequately deliver development to Black communities. He argued that the draft budget seemed to favour more affluent areas such as Wave crest and Jeffreys Bay over poorer communities. He further raised concerns about Kwanomzamo, noting that a vandalised community hall had been demolished without being replaced, and highlighted the poor condition of roads and insufficient progress on flood disaster recovery in affected areas. He also expressed concern that community consultation during the previous year's IDP process had been inadequate due to low attendance, with residents feeling that little development was taking place in Black communities.

Cllr Mbandana cited former President Thabo Mbeki on the racial dimensions of poverty in South Africa and stated that the Integrated Development Plan (IDP), which should guide the future development of Kouga Municipality, had not delivered sufficient progress for communities such as Cambria, Andrieskraal, Kouga, and Ramaphosa Village. He further noted a lack of progress on planned projects at Kouga Dam and raised concerns that the R331 road, which he said was important for farmers and exports in Patensie and included in the IDP since 2022, had not shown visible implementation. He also argued that commitments relating to graves, state land, and interdepartmental coordination had not been realised.

At 10:59, the Executive Mayor raised a point of order stating that the R331 is a provincial road and therefore not part of the Municipal IDP

and requested that speakers remain relevant to the item under discussion.

Cllr W Petersen addressed the Speaker using his name in Afrikaans during the proceedings.

At 11:02, the Speaker again requested the Councillor to specify the rule being referred to, stating that no valid point of order had been properly raised. The Speaker then warned the Cllr W Petersen and indicated that the point of order had been used without compliance with procedural requirements, after which Cllr W Petersen was muted.

Cllr Mbandana stated that the truth should be acknowledged in discussions and referred to the IDP, noting the inclusion of the Planning, Implementation, Management and Support System (PIMS) as a national government-driven support mechanism staffed by experienced professionals and engineers. He expressed the view that the ANC supports a ward based IDP approach that brings together communities, stakeholders, and farmers to collaboratively address local service delivery challenges, including sanitation issues in areas such as Patensie.

Cllr Zana stated that the ANC did not support the draft IDP, arguing that it did not adequately deliver on community priorities. He raised concerns about limited progress on electrification in informal settlements, poor maintenance of high mast lights, lack of youth development initiatives, and ineffective coordination of key Municipal programmes addressing health, drugs, and social challenges.

The Executive Mayor proposed that minor corrections to the IDP still be submitted to the Speaker's office, subject to confirmation of deadlines, noting that the document must be tabled before the end of May. He requested that all final amendments be submitted by close of business on Monday for incorporation before final submission to Provincial.

Cllr Dhludhlu seconded the additional recommendation of the Executive Mayor.

Cllr Zana stated that the ANC do not support the proposed amendment process for the IDP and stressed that only grammatical corrections should be allowed. He warned against any substantive changes to the document, expressing concern that it could alter the version of the IDP being considered for adoption.

The Municipal Manger stated that the current IDP is in its final year and that preparation for the next five-year IDP will begin after the elections. He noted that Councillors will have an opportunity to provide input during the next planning cycle. He also explained that

the Municipality can only report on its own responsibilities, and that failures in programmes managed by provincial or national government should not be attributed to the Municipality.

Cllr Oliphant argued that the IDP contained errors and should not be approved by Council in its current form. He stated that, procedurally, the item should be placed in abeyance to allow time for corrections and for inputs from Councillors to be properly incorporated. He cautioned that approving the document with errors would be improper and recommended that the item be withdrawn and reconsidered once amendments and inputs have been finalised.

Cllr Zana requested caucus of 5 minutes.

The Speaker granted the caucus from 11:14 - 11:24

Cllr Zana stated that following caucus deliberations, the ANC proposed that the IDP should not be adopted in its current form due to the presence of grammatical and other errors. He recommended that a process be initiated to correct all identified errors through a dedicated session, after which a special Council meeting should be convened for formal adoption of the amended IDP. He emphasised that this approach would ensure the accuracy and integrity of the document before approval.

The Executive Mayor stated that the concerns raised regarding the IDP related mainly to minor grammatical and spelling errors, which he did not consider sufficient reason to delay adoption or convene a special meeting. He proposed that such errors be corrected through normal administrative processes involving the Municipal Manager, IDP Manager, and Legal Services, and indicated that the IDP should then proceed for adoption. He further noted his intention to request a division of vote.

Cllr W Petersen seconded Cllr Zana proposal.

The Speaker called for a vote on Cllr Zana recommendation.
In favour 8
Not In favour 17
Abstain 1

The Speaker stated that the recommendation did not carry.

The Speaker called for a division of vote on the approval of the additional 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
A Hendricks	In Favour
F Heystek	In Favour
T Jantjes	In Favour
L Maree	In Favour
M Mbandana	Not in Favour
B Moos	In Favour
K Ndzelani	Not in Favour
M Nicholls	In Favour
N Ntengwane	Not in Favour
N Ntshota	Not in Favour
P Oliphant	Not in Favour
W Petersen	Not in Favour
C Pietersen	Not in Favour
S Ruth	In Favour
G Stuurman	In Favour
M Valgee	Not In Favour
W van der Linde	Abstain
M van Niekerk	In Favour
M Yali	Not in Favour
V Zana	Not in Favour

The Speaker announced the result as follows:

In Favour: 16
Not In Favour: 10
Abstain 1

Resolved (28 May 2026)

1. That the 2026/2027 Annual Reviewed IDP attached as Annexure A to the Agenda be adopted as a principal strategic planning instrument which will continue to guide and inform all planning and development, and all decisions regarding planning, management, and development, in the Kouga Local Municipality.

2. That the written submissions received with respect to the Final 2026/2027 Reviewed IDP attached as Appendix 5 to the IDP be considered and addressed as part of the wider, holistic, and cyclical process of municipal planning.

3. That within 14 days of the adoption of the 2026/2027 Annual Reviewed IDP by Council, the Accounting Officer of the Municipality must, in accordance with Section 25 (4) of the Municipal Systems Act – Give notice to the public

3.1 Of the adoption of the plan; and

3.2 That copies of or extracts from the plan are made available for public inspection at specified places

4. That the approved IDP and Budget be sent to Cogta/National and Provincial Treasury within 10 days of approval.

5. That all grammatical amendments be included in the Integrated Developmental Plan and submitted to the Office of the Speaker by the end of business 1 June 2026.

Proposed: Cllr H Bornman Seconded: Cllr B Dhludhlu

20. **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).

21 **REPORTS BY THE PORTFOLIO COMMITTEE CHAIRPERSONS**

21.1 **REPORTS BY THE CHAIRPERSON: FINANCE & ECONOMIC DEVELOPMENT**

26/05/FED3 MEDIUM-TERM REVENUE AND EXPENDITURE FRAMEWORK (MTREF)- BUDGET FOR THE 2026/27 TO 2028/29 FINANCIAL YEARS

The Executive Mayor stated that it is a funded budget and one of the most significant for the Municipality, with relatively low increases in Municipal tariffs and continued progress toward financial sustainability. He highlighted priorities such as improved energy efficiency, reduced reliance on Eskom, water sustainability, and planned upgrades to roads and basic services, noting that these reflect community inputs from ward engagements. He expressed confidence that the budget addresses community needs within available resources and thanked the CFO and administration for their work in preparing it.

Cllr W Petersen stated that he would continue speaking in English to avoid being muted, arguing that being prevented from speaking would disadvantage poorer communities. He further expressed concern that he was being unfairly silenced and that this would limit his ability to represent community interests.

At 11:49 Cllr Dhludhlu raised a point of order in terms of Rule 36.3, citing persistent disregard of the Speaker's instructions, and requested that the Speaker exercise her authority to remove the Councillor concerned from the meeting due to continued non-compliance.

The Speaker overruled the request, stating that the matter had already been addressed, and proceeded with the proceedings.

Cllr W Petersen argued that the Municipal budget is unevenly distributed and favours more affluent areas over poorer communities. He criticised the Municipality's housing delivery record and raised concerns about poor service delivery in disadvantaged areas. He also called for greater transparency in the budget, including ward-level breakdowns of expenditure so that communities can clearly see how funds are allocated.

Cllr Zana stated that the ANC would not support the budget. He raised concerns about transparency and requested clarity on the allocation of disaster funding received from national and provincial government, as well as indigent support funding. He further asked for details on a Municipal loan used for road rehabilitation, specifically the interest rate and repayment terms. He also reiterated support for calls to improve ward-level visibility of budget spending to ensure accountability in service delivery.

Cllr Mbandana raised concerns about the lack of visible development in poor communities despite budget allocations, citing public complaints from IDP meetings. He questioned the use of surplus funds and equitable share allocations intended for poverty alleviation, arguing that disadvantaged areas, including Ramaphosa, had not benefited sufficiently. He concluded that the ANC does not support the budget.

Cllr van der Linde raised concerns that rates and taxes were becoming unaffordable for some residents and noted that elderly residents were reportedly leaving the Kouga area due to financial pressure. He requested clarity on the EMF fund, including its total value and expenditure, stating that previous responses did not adequately address his questions.

He further questioned the significant reduction in the capital budget, the municipality's reliance on capital grants rather than internal funding, and the potential impact of this funding structure on service delivery and financial sustainability. He requested formal written responses and clarification from the administration and CFO.

The Manager: Asset and Investments responded to questions on the budget by referring councillors to Annexure C (page 748), where capital grant allocations are detailed. He confirmed that approximately R75 million had been allocated for indigent support in the current year and stated that the interest rate on the DBSA loan for road resealing is 11%.

He further explained that the reduction in the capital budget is due to the timing and rollover of the DBSA loan-funded road projects (approximately R150 million), noting that unspent funds will be carried over into the new financial year, which affects year-on-year comparisons. He added that a colleague would respond to questions regarding the Municipality's reliance on grant funding.

Cllr Oliphant requested a division of vote on the item for transparency and asked for clarity on the Municipality's loan arrangements, including the 11% interest rate, repayment period, and total repayment cost of the R200 million loan. He also requested an update on a related court case involving ratepayers and Municipal finances.

Cllr W Petersen supported the motion by Cllr Oliphant requesting that a division of vote be conducted on the item.

Cllr van der Linde requested a detailed written report on the EMF fund, including historical balances and expenditure, stating that previous responses did not provide sufficient clarity.

The Speaker indicated that the matter would be followed up in writing after reviewing relevant correspondence between the CFO and Community Services.

Cllr Heystek stated that the road project funding is just under R200 million and suggested that the administration should also assess the cost implications if road repairs had been delayed further, noting that deterioration would likely have significantly increased future rehabilitation costs.

The Executive Mayor expressed support for a division of vote on the item.

Cllr Zana requested clarity on the Municipality's reliance on national and provincial government funding, particularly disaster grants, and the proportion of the budget funded externally versus internally. He indicated that he was ready to proceed to the vote.

The Manager: Asset and Investment referred the matter for clarification, after which the official explained that the loan repayment term is 12 years and had been subject to public participation, with the interest rate previously disclosed. He further clarified that the Municipality is approximately 85% reliant on internal revenue and about 15% dependent on grant funding.

The Executive Mayor clarified that about 15% of the budget comes from national and provincial grants. He noted that R28 million in drought disaster funding had been approved in writing but not yet received, and that no disaster-related funding had been paid out despite multiple applications for drought, flood, fire, and animal disease relief, with national and provincial conditions affecting eligibility.

Cllr Oliphant disputed the claim of public participation, stating that the Kwa-Nomzamo community was not consulted regarding the R200 million matter and cautioned against politicising the discussion.

The Manager: Asset and Investment responded that there was no referenced Council resolution number available and suggested that the issue be formally addressed in writing.

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
A Hendricks	In Favour
F Heystek	In Favour
T Jantjes	In Favour
L Maree	In Favour
M Mbandana	Not in Favour
B Moos	In Favour
K Ndzelani	Not in Favour
M Nicholls	In Favour
N Ntengwane	Not in Favour
N Ntshota	Not in Favour
P Oliphant	Not in Favour
W Petersen	Not in Favour
C Pietersen	Not in Favour
S Ruth	In Favour
G Stuurman	In Favour
M Valgee	Not In Favour
W van der Linde	Abstain
M van Niekerk	In Favour
M Yali	Not in Favour
V Zana	Not in Favour

The Speaker announced the result as follows:

In Favour: 16
Not In Favour: 10
Abstain 1

Resolved (28 May 2026)

1. That the Executive Mayor recommends that the Council, by resolution taken by the majority of its full number, and in terms of Section 30(2) of the Local Government: Municipal Structures Act No. 117 of 1998 (as amended), read in conjunction with Section 24 of the Local Government: Municipal Finance Management Act, Act 56 of 2003:

1.1.1 Approves the 2026/27 – 2028/29 Annual Budget, as set out in the "Annexure A" on the following tables:

a) Consolidated Budget Summary [Table A1] [Page 25]
b) Budgeted Financial Performance (revenue and expenditure by standard classification); [Table A2] [Page 27]
c) Budgeted Financial Performance (revenue and expenditure by municipal vote); [Table A3] [Page 29]
d) Budgeted Financial Performance (revenue by source and expenditure by type); [Table A4] [Page 30]
e) Multi-year and single year capital appropriations by municipal vote and standard classification and associated funding by source. [Table A5] [Page 32]

1.1.2 That the budgeted financial position, budgeted cash flows, cash-backed reserves/accumulated surplus, asset management and basic service delivery targets be noted as set out in the following tables:

a) Budgeted Financial Position; [Table A6] [Page 34]
b) Budgeted Cash Flows; [Table A7] [Page 36]
c) Cash backed reserves and accumulated surplus reconciliation; [Table A8][Page 37]
d) Asset management; [Table A9] [Page 38]
e) Basic service delivery measurement. [Table A10] [Page 41]

1.1.3. That the tariffs be increased as follows, with effect from 1 July 2026:

Property rates	4.5%
Water	6.5%
Sanitation	5%
Refuse	5%
Electricity (average increase in electricity income)	9.01%
Environmental Management Fee	5%

a) Indicative tariffs for 2027/28 and 2028/29 will be increased as follows:

	2026/27	**2027/28**
Property rates	4.5%	4.5%
Water	6%	6%
Sanitation	5%	5%
Refuse	5%	5%
Electricity (average increase in electricity income)	8.83%	10%
Environmental Management Fee	5%	5%

1.1.4. That the Council approves "Annexure B" which regulates the format of the budget documentation as set out in Schedule A (version 7.1) of the Municipal Budget and Reporting

Regulations. This includes the main Tables A1 - A10 as well as the supporting tables SA1 – SA38.

1.1.5 That the Council notes the 2026/27 Capital Expenditure, **"Annexure C".**

1.1.6 That the Council approves the tariffs, as reflected in **"Annexure D".**

1.1.7. That the Council approves the Budget-Related Policies, as reflected in **"Annexure E".**

1.1.8. That the 2026/27 Procurement Plan be approved **"Annexure F".**

1.1.9. That the ICT Due Diligence Process Plan be noted. **"Annexure G".**

1.1.10. That the Provincial Treasury's 2026/27 Draft Budget Funding Assessment Report be noted, **"Annexure H".**

1.2. That the Annual Budget be submitted to the National Treasury in both printed and electronic format and the relevant Provincial Treasury.

22. **CLOSURE**

The meeting closed at 14:06

---

21 July 2026

L MAREE **DATE**
SPEAKER