

MINUTES

of Proceedings of the special meeting of the Nelson Mandela Bay Metropolitan Council held at Nelson Mandela Bay Stadium, Fettes Road, North End, Gqeberha on Thursday, 24 July 2025 (adjourned on 17 July 2025) at 10:00.

PRESENT

SPEAKER:	1. JOHNSON, E (ANC)	
COUNCILLORS:	2. ADAMS, T P (DA) 3. BASSON, R D (DA) (Ms Teams) 4. BELL, A H (ANC) 5. BEST, J S (DA) 6. BLAAUW, T F M (DA) 7. BOGGENPOEL, V N (DA) 8. BOOYSEN, L A (DA)) (Ms Teams) 9. BOYANA, N (ANC) 10. BREAKFAST, M S (DA) 11. BUYEYE, T C S (AIC) 12. DE ANDRADE, M J (DA)) (Ms Teams) 13. DLOVA-NAMPULUMA, N A (DA) 14. DODA, P T (ANC) 15. ENGELBRECHT, G J S (DA) 16. FALDTMAN, G (DA) 17. FALTAIN, T (DA) 18. FILLIS, S (DA) 19. GELDERBLOEM, G H (DA) 20. GROBBELAAR, J (DA) 21. GROOTBOOM, L P (ACDP) 22. HARRINGTON, W B (FF+)) (Ms Teams) 23. HAYSELDEN, D A (DA) 24. HERMAANS, P (DA) 25. HENDRIKS, A C (PA) 26. JACK, M J (AIM) 27. JAKUJA, M R (ANC) 28. JAMES, P L (EFF)) (Ms Teams) 29. JIKEKA, W (ANC) (CHIEF WHIP) 30. KAMANA, M B (PAC) 31. KAYSER, R C (DA) 32. KEPE, O H (DA) 33. KOKO, N N (ANC) 34. KWATSHA, S (DoP) 35. LAWU, L N (ANC) 36. LINDOOR, S H (PA) 37. LOBISHE, B (ANC) (EXECUTIVE MAYOR) 38. LONGBOOI, L Z (ANC) 39. LÖTTER, J M (ACDP) 40. LOVEMORE, A T (DA) 41. LUDWABE, L R (ANC)) (Ms Teams) 42. MABUDA, M (ANC) 43. MABUDA, S M (ANC) 44. MAFANA, T B (ANC) 45. MAFAYA, B N (ANC)) (Ms Teams) 46. MAFUMANA, N A (DA) 47. MAJOLA, M J (ANC)) (Ms Teams) 48. MAKHWENKWE, N (ANC) 49. MAKUNGA, M L (ANC) (Ms Teams) 50. MAKWETU, L N (ANC) 51. MANI, B G (ANC) 52. MANI, K A (ANC)) (Ms Teams) 53. MAQULA, G D (ANC) 54. MASWANA, N I (ANC) 55. MASWANA, T (ANC) 56. MATENJWA, B (ANC) 57. MBAMBO, N M (ANC) 58. MEYER, R (DA) 59. MFANA, L (ANC) 60. MIGGELS, G G (DA)	61. MINYAYO, L (ANC) 62. MITCHELL, J M (NA) 63. MLANGAZI, S N (ANC) 64. MLEVE, S (ANC) 65. MNQOKOYI, Z P (EFF) 66. MNYANDU, L B (ANC)) (Ms Teams) 67. MOMO, M P (ANC) 68. MONKS, D J S (DA) 69. MOODLEY, G (DA) 70. MOODLEY, N R (DA) 71. MOSI, T S (EFF) 72. MPEHLO, K (DA) 73. MURRAY, B M (PA) 74. NAMETTE, L (UDM) 75. NDAMSE, L (ANC) 76. NGABASE, M M (ANC) 77. NGQISHA, K (EFF) 78. NGWANE, L (ANC) 79. NGXENGE, R K (ANC) 80. NKOSI, M M (DA)) (Ms Teams) 81. NOMNQA, B (ANC) 82. NOTSHE, X L (ANC) 83. NOAKULA, N E (ANC) 84. NYATI, X N (DA) 85. PALI, Y M (ANC) 86. PEGRAM, B S (DA) 87. PETER, L (ANC) 88. PHEZISA, N (ANC) 89. QUPE, M B (ANC) 90. QWAZI, N (EFF) 91. RAFANI, S (DA) 92. RANYELE, I F (ANC) 93. RAUTENBACH, G (DA) 94. SENEKAL, W (DA) 95. SIDINA, B M (ANC) 96. SIJADU, S (DA) 97. SIKAWUTI, N (EFF) 98. STANDER, T (DA)) (Ms Teams) 99. STEYN, M G (DA) 100. SWANEPOEL, E F (DA) 101. TAPPAN, S B (DA) 102. TERBLANCHE, P W (DA) 103. TROON, L (GP) 104. TSOTSO, Z P (ANC) 105. TUKANI, S (DA) 106. VAN DE LINDE, F A (DA) 107. VAN DER WESTHUYZEN, A (DA) 108. VAN NIEKERK, G S (NA) (DEPUTY EXECUTIVE MAYOR) 109. VAN WYK, I L (DA) 110. VANI, P B (ANC) 111. VASCO, Z (DA) 112. VENCENCIE, R C (FF+)) (Ms Teams) 113. VINQI, X M (ANC)) (Ms Teams) 114. VON BUCHENRODER, M R (DA) 115. WALA, N (EFF) 116. WOLF, B F (DA) 117. YANIE, C (EFF) 118. ZINTO, M ((DA)
ABSENT WITHOUT LEAVE:		

The Council observed a moment of contemplation after the arrival of the Speaker.

The Speaker welcomed the Executive Mayor and members of his Committee (MMCs), the Chairpersons of Section 79 Committees, all Councillors, the City Manager and members of the public and the media. Bishop Menti led the Council in a short devotion service.

SECTION 1 - APPLICATIONS FOR LEAVE OF ABSENCE IN TERMS OF PARAGRAPH 3 OF THE CODE OF CONDUCT

There were no applications for leave of absence.

SECTION 2 - DISCLOSURE OF INTEREST BY COUNCILLORS IN TERMS OF PARAGRAPH 5 OF THE CODE OF CONDUCT

No disclosures were made.

SECTION 3 - DISCLOSURE OF INTEREST BY OFFICIALS

No disclosures were made.

SECTION 4 - STATEMENTS OR COMMUNICATIONS BY SPEAKER

Councillor Rautenbach referred to Rule 11.3 of the Rules of Order which states that in the event of a meeting of Council being adjourned to a later date, no additional items may be introduced or considered. The Speaker acknowledged the reference made by Councillor Rautenbach and undertook to observe the rule in future.

Councillors Wolf (Ward 9) and Booyen approached the front of the meeting venue and posted a placard on the wall indicating that the Ward 9 office had been without electricity for more than a week, even though this was reported to Corporate Services but without avail.

Councillor Rautenbach in support of the silent protest requested the Acting City Manager to resolve the matter as soon as possible.

Some Councillors voiced their opposition to the Ward Councillor using a Council meeting to air grievances and the Executive Mayor requested that the matter be escalated to the office of the Speaker to resolve the issue.

SECTION 5 - INTERVIEWS WITH DEPUTATIONS

None.

SECTION 6 - STATEMENT BY EXECUTIVE MAYOR

There was no statement made by the Executive Mayor.

SECTION 7 - REPORT OF EXECUTIVE MAYOR TO METROPOLITAN COUNCIL IN TERMS OF SECTION 30(5) OF THE LOCAL GOVERNMENT: MUNICIPAL STRUCTURES ACT, ACT NO. 117 OF 1998, INCLUDING OTHER MATTERS REFERRED TO COUNCIL BY THE EXECUTIVE MAYOR [AGENDA PAGES 6 - 23]

ITEM 1; PAGE 6 Budget Adjustment on the 2025/2026 Capital Budget to cover shortfall on disaster MDRG funding programme - Adopted

Resolved:

- (a) 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 28 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approves the amendment / reduction of the following projects to cover the shortfall to be offset from the 2025/2026 NMBM Capital Budget Roads and Stormwater for the implementation of the MDRG projects: -

PROJECT ID NUMBER	PROJECT DESCRIPTION	BUDGET (2025/26)	REDUCED BY (VAT EXCL)	TO
20200055	Replacement Vehicles Fleet - Automotive Transport Pool	R 10 000 000	(R4 000 000/1.15) R 3 478 260	R6 521 740
20200056	Roads-New/Replacement Vehicle fleet	R 5 000 000	(R 4 510 500/1.15) R 3 921 740	R1 078 260
TOTAL		R15 000 000	(R 7 400 000)	R7 600 000

- (b) That based on the above the amended amount of **R7 400 000 (Vat Excl.)** be re-allocated to the various disaster projects to implement the MDRG projects as follows: -

PROJECT ID	PROJECT TITLE	2025/26 APPROVED BUDGET (EXCL VAT)	INCREASE BY (EXCL VAT)	FROM "R" (VAT EXCL)	TO "R"
20250064	Construction of new stormwater outlet headwalls, pipeline and drainage at Mavuso Road	R 0	R 3 921 740	R 0	R 3 921 740
20250069	Construction of new stormwater piping at Budaza Street	R 0	R 1 393 610	R 0	R 1 393 610
20250068	Upgrade & Restoration of Salt Lake - Seibrits Pond	R 0	R 2 084 650	R 0	R 2 084 650
TOTAL		R 0	R 7 400 000	R 0	R 7 400 000

- (c) That it be noted that the Disaster Management Sub Directorate must develop separate correspondence to the Provincial Disaster Management Centre (PDMC) for the reprioritisation in terms of the budget savings to other projects identified with budget shortfall.
- (d) That an amount of R 2 988 313.61 be allocated to the Upgrade & Restoration of Salt Lake - Seibrits Pond – Project ID 20250068 from the MDRG budget from savings identified on approved budgets via the budget reprioritisation process, with the approval from the Provincial Disaster Manager Centre (PDMC)

- (e) That the MDRG Capital Projects that have not been incorporated in the 2025/26 Council approved budget (18 June 2025), the Executive Mayor be delegated authority to include such amendments in the 2025/26 Budget.

ITEM 2; PAGE 11 Request for approval to incorporate the re-prioritisation of the MDRG Capital Projects in the 2024/25 Financial Year and the rollover of MDRG unspent funding from the 2024/2025 Financial Year Capital Budget to the 2025/2026 Financial Year Capital Budget - Adopted

Councillor Kayser pointed out that the failure to spend the funds and to address the legislative issues could now result in the funds being lost. He felt that this could be considered as financial misconduct by the Acting City Manager and that a report be submitted to the Council on the steps to be followed to ensure that National Treasury would approve the rollover.

Councillor Grootboom stated that the grant funding was conditional and that failure to apply for a roll over to National Treasury could result in the funds being lost. He pointed out that National Treasury would take various factors into consideration in respect of the roll over, i.e that the City Manager position had been vacant for more than twelve (12) months.

The Executive Mayor indicated that a report on the status of the application to National Treasury would be submitted to the Council at its next meeting.

Resolved:

- (a) 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 28 of the Local Government: Municipal Finance Management Act, Act 56 of 2003, approves the reprioritisation of the MDRG Capital Projects into the 2024/2025 Capital Budget as per the table below:

Project ID	Project Title	2024/25 Council Approved Budget Incl VAT	Proposed re-distribution 2024/25 (As per PDMC Approval)
20250064	MDRG - Construction of new stormwater outlet headwalls, pipeline and drainage at Mavuso Road	10,000,000	6,555,684
20250065	MDRG - Reconstruction of Moegesukkel Access Road	5,679,200	2,193,396
20250066	MDRG - Reconstruction of Salt Lake - Jacks Street (Stormwater Channel 500m X 450mm)	3,200,000	2,860,175
20250067	MDRG - Reconstruction of Salt Lake - Jacks Street (Roadworks 400m X 6m)	800,000	715,044
20250068	MDRG - Upgrade & Restoration of Salt Lake - Siebritz Pond	2,500,000	1,230,895
20250069	MDRG - Construction of new stormwater piping at Budaza Street	4,000,000	4,114,018
20250070	MDRG - Reconstruction of Jabavu Footbridge in Kariega	6,700,000	6,695,308
20250071	MDRG - Reconstruction of Mngwanza Street in Kariega	4,200,000	6,163,053
20250072	MDRG - Reconstruction of De Mist Canal in Kariega	12,000,000	11,358,274
20250073	MDRG - Reconstruction of Fourie Street in Kariega	3,000,000	2,839,569
20250074	MDRG - Reconstruction of Stormwater Drainage System at Moegesukkel Access Road	1,419,800	8,773,584
20250083	MDRG: Replacement of Collapsed/ Burst Pipelines (Jones & Taylor Street - Kariega CBD)	500,000	500,000
		53,999,000	53,999,000

- (b) That the approval of the unspent MDRG Capital Budget 2024/2025 to be rolled over to the 2025/2026 Capital Budget. Capital Budget as per the table below

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Project ID	Project Title	Proposed re-distribution 2024/25 (As per PDMC Approval)	Invoices for PSP Services Rendered 2024/25	Capital Budget remaining as at 30 June 2025
20250064	MDRG - Construction of new stormwater outlet headwalls, pipeline and drainage at Mavuso Road	6,555,684	299,690.00	6,255,994
20250065	MDRG - Reconstruction of Moegesukkel Access Road	2,193,396		2,193,396
20250066	MDRG - Reconstruction of Salt Lake - Jacks Street (Stormwater Channel 500m X 450mm)	2,860,175	143,520.00	2,716,655
20250067	MDRG - Reconstruction of Salt Lake - Jacks Street (Roadworks 400m X 6m)	715,044		715,044
20250068	MDRG - Upgrade & Restoration of Salt Lake - Siebritz Pond	1,230,895	138,317.86	1,092,577
20250069	MDRG - Construction of new stormwater piping at Budaza Street	4,114,018	150,305.00	3,963,713
20250070	MDRG - Reconstruction of Jabavu Footbridge in Kariega	6,695,308	162,490.86	6,532,817
20250071	MDRG - Reconstruction of Mngwanza Street in Kariega	6,163,053	144,125.36	6,018,928
20250072	MDRG - Reconstruction of De Mist Canal in Kariega	11,358,274	420,757.86	10,937,516
20250073	MDRG - Reconstruction of Fourie Street in Kariega	2,839,569		2,839,569
20250074	MDRG - Reconstruction of Stormwater Drainage System at Moegesukkel Access Road	8,773,584	215,597.86	8,557,986
20250083	MDRG - Replacement of Collapsed/ Burst Pipelines (Jones & Taylor Street - Kariega CBD)	500,000		500,000
		53,999,000	1,674,804.80	52,324,195

- (c) That the Executive-Mayor to report to the next Council meeting on the approval of the roll over as per paragraph (b) above by National Treasury.
- (n) That Council **delegates** the Executive Mayor to ensure that all projects linked to the **Municipal Disaster Relief / Recovery Grants** are incorporated into the 2025/26 budget, to cover work that will proceed in the coming financial year (2025/26), based on unspent portions of the MDRG to be determined during July / August 2025, from the 2024/25 financial year, to avoid any interruption towards project implementation.

ITEM 3; PAGE 13 Nelson Mandela Bay Stadium (NMB Stadium) - Adopted

Councillor Grootboom pointed out that the Executive Mayor had no authority to terminate the Service Delivery Agreement (SDA) between the NMBM and the MBDA as there were guidelines in place that regulate the SDA. He felt that the cost of the court order sought by the MBDA in respect of the SDA could be seen as fruitless and wasteful expenditure.

Councillor Kayser requested that additional information be furnished in respect of the transition period, the cost implications and the short/medium term process plan when the SDA would be terminated.

The Acting City Manager indicated that a process would be initiated that would include a short medium term process plan, staff implications, asset registration as well as the legal process to follow to terminate the SDA and a report on the progress be reported to the Council.

The Executive Mayor explained that legal advice was obtained regarding the termination to the SDA based on the fact that there was no accountability from the MBDA in respect of the stadium expenditure and operation thereof. The management of the stadium was on a month-to-month basis since 2022, and it was felt that the MBDA did not meet the requirements of maximising the potential income of the stadium. The Executive Mayor pointed out that an amount of R150 million was unaccounted for by the MBDA and that this was problematic.

The Executive Mayor assured the Council that a comprehensive report would be submitted which would include the processes to be implemented as alluded to by the Acting City Manager and to advertise for potential stadium managers to be considered as the MBDA did not have the capacity and expertise to effectively manage the stadium.

Resolved:

- (a) That the Council notes the Court Order attached as Annexure "A" of the Executive Mayor's report to the Council in respect of the termination of the Service Delivery Agreement between the Nelson Mandela Bay Municipality (NMBM) and the Mandela Bay Development Agency (MBDA) for the managing of the Nelson Mandela Bay Stadium.
- (b) That a comprehensive report inclusive of the short/medium term management plan, staff matters, cost implications and process to appoint a new stadium manager in respect of the termination of the SDA between the NMBM and the MBDA with regards to the NMB Stadium, be submitted to the Council in due course.

ITEM 4; PAGE 16 Approval of Metro Trading Services Strategies - Adopted

Councillor Kayser enquired why the strategies referred to in the report were not included in the agenda as it would not be possible to adopt the strategies if it were not part of the agenda.

Councillor Lovemore agreed that the Council could not adopt the strategies as it were not considered by the Council or any Committee thereof.

Councillor Makwethu pointed out that numerous attempts were made to arrange a workshop in order that the strategies as per the report could be discussed, but that the opposition parties failed to attend.

After further debate, the Executive Mayor requested that the matter be put. The Speaker put the matter to the vote and, accordingly,

EXECUTIVE MAYOR'S RECOMMENDATION PUT AND DECLARED CARRIED (62 Votes "For" / 50 Votes "Against")

Resolved:

That the Council approves the following Metro Trading Services strategies:

- (a) Water and Sanitation Strategy (Attached as **Annexure "A"** hereto)
- (b) Electricity and Energy Strategy (Attached as **Annexure "B"** hereto)
- (c) Solid Waste Management Strategy (Attached as **Annexure "C"** hereto)
- (d) Water and Sanitation B&IP
- (e) Electricity and Energy B&IP
- (f) Solid Waste Management B&IP
- (g) Institutional Roadmap for the creation of Business Units:
 - Water and Sanitation Institutional Road Map
 - Electricity and Energy Institutional Road Map
 - Solid Waste Management Institutional Road Map

(Councillor Rautenbach requested that the DA's objection to the decision of Council, be recorded).

Note by Secretariat: The various strategies were not part of the agenda and are hereby included/attached for official purposes.

SECTION 8 - REPORT BY ACTING CITY MANAGER [AGENDA PAGES 96 - 101]

ITEM 1; PAGE 96 – Memorandum of agreement with the Eastern Cape Development Corporation (ECDC) - Adopted

Resolved:

- (a) That the following resolution “(e)” of Item 19 of the minutes of Council of its meeting held on 12 December 2024 in respect of the Memorandum of Agreement, be rescinded:
 - “(e) That the payment be made with the ECDC in line with Section 67 of the Municipal Finance Management Act, Act No 56, 2003”.
- (b) That the balance of Item 19 of the minutes of Council in respect of the above from its meeting held on 12 December 2024 remain as a properly formulated and constituted resolution of Council which was adopted on that date, i.e.:
 - (a) That Min. No. 11/2024 of the Minutes of the Economic Development Tourism and Agriculture Committee meeting held on 5 March 2024, be rescinded.
 - (b) That the Nelson Mandela Bay Municipality (NMBM) enters into a Memorandum of Understanding (MOU) with the Eastern Cape Development Corporation (ECDC) in support of the work undertaken by the Economic Development, Tourism and Agriculture Directorate (EDTA) for a period of 3 years commencing from the date of Council approval to June 2027.
 - (c) That an amount of R5.5 million be transferred to the Eastern Cape Development Corporation (ECDC) to cover all related projects.
 - (d) That the Eastern Cape Development Corporation (ECDC), provide for an equal contribution of R5.5 million towards implementation and that the contributions be clearly stated in the SLA.
- (c) That recommendation “(e)” on Min. No. 44/2024 the minutes of the Economic Development, Tourism and Agriculture Committee from its meeting held on 17 October 2024, be rescinded.
- (d) That the balance of Min. No. 44/2024 of the minutes of the Economic Development, Tourism and Agriculture Committee from its meeting held on 17 October 2024 remain as a properly formulated and constituted recommendation:
 - (a) That Min. No. 11/2024 of the Minutes of the Economic Development Tourism and Agriculture Committee meeting held on 5 March 2024, be rescinded.
 - (b) That the Nelson Mandela Bay Municipality (NMBM) enters into a Memorandum of Understanding (MOU) with the Eastern Cape Development Corporation (ECDC) in support of the work undertaken by the Economic Development, Tourism and Agriculture Directorate (EDTA) for a period of 3 years commencing from the date of Council approval to June 2027.
 - (c) That an amount of R5.5 million be transferred to the Eastern Cape Development Corporation (ECDC) to cover all related projects.
 - (d) That the Eastern Cape Development Corporation (ECDC), provide for an equal contribution of R5.5 million towards implementation and that the contributions be clearly stated in the SLA.

ITEM 2; PAGE 98 – Collaborative funding agreement with the Automotive Industry Development Centre Eastern Cape (AIDCEC) – Adopted

Resolved:

- (a) That the following resolution “(g)” of Item 22 of the minutes of Council in respect of the Collaborative funding agreement with the Automotive Industry Development Centre Eastern Cape, from its meeting held on 12 December 2024, be rescinded.
“(g) That payment be made in line with Section 67 of the Municipal Finance Management Act, Act No. 56, 2003.”
- (b) That resolutions “(a)”, “(e)”, “(f)” of the same item 22 of the minutes of Council from its meeting held on 12 December 2024 be amended to read as follows:
*“(a) That the appointment of Automotive Industry Development Centre Eastern Cape (AIDCEC) to implement the Nelson Mandela Bay Municipality (NMBM) Automotive Township Development Programme, be approved.
(e) That an amount of R1,8 mil budget per annum be allocated and used for the implementation of the Collaborative Funding Agreement between NMBM and AIDC EC.
(f) That the partnership be approved contingent upon an amount of R1 800 000 from AIDCEC was used to match the NMBM’s contribution and that the contributions be included in the SLA.”*
- (c) That the balance of Item 22 of the minutes of Council from its meeting held on 12 December 2024 remain as a properly formulated and constituted resolution of Council which was adopted on that date, i.e.:
*(b) That the Municipality enters into a Memorandum of Agreement (MOA) with AIDC EC.
(c) That the implementation of the Automotive Township Development programme in partnership with AIDCEC, for a period of 36 months in order to ensure that the project is completed (in line with the Council’s resolution of the 07th of December 2022), be approved.
(d) That a Collaborative Funding Agreement between NMBM and AIDC EC for the implementation of phase two of the programme, be signed.*

ITEM 3; PAGE 100– Motion in Terms of Rule 28 – Councillor G Rautenbach – Matter of Public Importance: Non-operational Call Centre – Noted and Resolved

A motion in terms of Rule 28/Matter of Public Importance was received from Councillor G Rautenbach, a copy of which is attached hereto as **Annexure “D”**.

Councillor Rautenbach, by introducing the motion, noted that the Municipal Call Centre was not operational on a 24/7 basis and that this made it difficult to report serious service delivery matters after hours. He requested that the necessary steps be implemented to give effect to the motion.

Councillor Best, in support of the motion, pointed out that a previous decision by the Standing Committee indicated that the Call Centre must be operational 24/7.

Councillor K Ngqisha was of the opinion that the Call Centre was logging queries from numerous Directorates and a multi-Directorate approach was required to implement a 24/7 Call Centre.

Resolved:

That the operationalisation of the Municipal Call Centre on a 24/7 basis be referred to the relevant Standing Committees together with details of the staff and financial implications thereof.

SECTION 9 - MATTERS OF PUBLIC IMPORTANCE

No requests in terms of Rule 27 were received.

The Council moved In-Committee at 16:15

S P E A K E R