

The Herald

Editorial Comment

Petuna ruling a warning to officials

There was a period — between 2011 and 2016 — when the ANC government was determined to bend what it believed to be archaic town planning laws. This, it continuously argued, was in the interest of development in Nelson Mandela Bay. But there was a push-back from some within the land planning office who were adamant that laws were there for a reason and anyone found flouting proper systems and processes must be brought to book.

It led to heated debates in housing committee meetings, with officials such as Dawn McCarthy — who was director of land planning — accused of stifling development and pushing the agenda of the opposition.

(Interestingly, it was the developments of the politically connected few which roused the most fiery debates.)

And then McCarthy's subordinate, Lindile Petuna, who was more amenable to bending the rules, was parachuted to the position of executive director of human settlements.

He advised the municipality, and ultimately the council, in 2014 to allow businesswoman Yvette Georgiou to develop a luxury hotel and chapel on their Kragga Kamma property.

The area was zoned for residential use and the development was thus in conflict with certain restrictive conditions in the title deeds.

It was expensive advice that led to Georgiou having to eventually demolish the development and it cost the city hundreds of thousands of rand in legal fees.

On Thursday last week, a Port Elizabeth court made an example of Petuna by ruling that he be made to cough up R550,000 for giving bad advice.

It goes without saying that as the custodians of the city's laws, municipal officials should not be advising politicians to approve anything that contravenes those laws.

May this court case serve as an example to all officials hoping to curry favour with those in power — your short-term decisions may have long-term effects.

— And when that happens, those you were wanting to impress will be long gone while you are made to face the consequences on your own.