Notice is hereby given that a SPECIAL MEETING of the MUNICIPAL COUNCIL of Knysna Municipality will be held in the COUNCIL CHAMBER, Clyde Street, Knysna on THURSDAY, 25 FEBRUARY 2016 at 09:00 to consider the business set forth in the attached agenda.
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1. OPENING AND WELCOME

2. SILENT PRAYER

3. ATTENDANCE OF MEMBERS
   COUNCILLORS PRESENT
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4. NOTING OF THE PROVISIONS OF CODE OF CONDUCT FOR COUNCILLORS

5. DISCLOSURE OF INTEREST

6. KNYSNA MUNICIPAL OFFICIALS: RENTAL INCREASE OF STAFF ACCOMMODATION

7. ITEMS SUBMITTED BY THE EXECUTIVE MAYOR

8. CLOSURE
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**SD01/02/2016  KNYSNA MUNICIPAL OFFICIALS: RENTAL INCREASE OF STAFF ACCOMMODATION**

**REPORT FROM THE OFFICE OF THE SPEAKER**

Attached hereto is a letter received.

FOR CONSIDERATION
15 February 2016

Madame Speaker

Kynsna Municipality

Re. Rental Increase of Staff Accommodation

Dear Madam Speaker

We as a collective of staff members of the Kynsna Municipality, which has been benefitting from the rental of staff accommodation, wish to address council as a matter of urgency, at the next Special Council Meeting, scheduled for 25th of February 2016. This would be, in order to convey our distress at, the unilateral actions taken against us by the administration of this municipality, as our employer as well as landlord.

This is an urgent matter, as the raised rental will be continued to be deducted from our salaries without our approval.

We contend that The Municipal Finance Management Act does not allow for our constitutionally legislated rights to be disregarded.

The rights we claim to be granted to us as citizens are (This list is not exhaustive):

- That according to the Consumer Protection Act, we cannot be unilaterally forced to accept an increase of well over 100%. That the increase should be ‘reasonable’ AND negotiated. That the Municipality has failed to consider our rights in this regard. http://wwwacts.co.za/consumer-protection-act-2008/

- That according to the privileges afforded us as tenants, as expressed by The Rental Tribunal, that the increase should be ‘reasonable’ AND negotiated, and cannot be implemented without our consent. The Municipality has done so, irrespective of our disapproval. https://www.westerncape.gov.za/general-publication/rental-housing-tribunal

- That according to Labour Law, our employment contracts cannot be unilaterally amended, unless it is to our benefit. That the use of Municipal rental accommodation was a benefit afforded us, as part of our employment contracts, whether it is directly stated in the contract or not. That the increase in rental is in fact a major adjustment downward in our salaries, which we were not consulted on, and did not agree to. http://www.labour.gov.za/DOL/legislation

We hope that you will find this matter sufficiently urgent, as another month or two will find us in serious distress, having to struggle to adjust budgets, which are also being stretched by the general economic conditions in the country.

Kind Regards

The Undersigned
Although I have previously signed the revised lease agreement and returned it to the relative department concerned, I wish to reiterate the following:

1) I do not have a problem with the revised rental although I feel that this is a huge increase.

2) I do have a problem however with the duration of the new lease (6 months) as accommodation in Knysna is scarce and expensive.
Nkoane, N
10 Bokmakerie Street

NOT AVAILABLE
Arlow, E
6 Gordon Street

Fused
Fused, Nobesuthu
12 Kamdebo Street

Meaker, D
Oakhaven: Loeriepark
Mthembu, S
Protea Terrace 1

.NOT AVAILABLE
Janklaas, C
Protea Terrace 2

.NOT AVAILABLE
Siguba, F
Protea Terrace 3

M. Cupido
Protea Terrace 4

Diulane, N
Protea Terrace 5
Magagula, S
Westview Court 1

Meyer, A
Westview Court 3

Bouwer, R
Westview Court 4

Ngxwashula, N
Westview Court 5

Campher, B
Westview Court 6
Barnardo, M
Melkhout 1

Irma Muller
Melkhout 2

Siphekazi Quasha
Melkhout 3

Avery, G
Melkhout 4
Manuel, C
West View Court 2
REPORT FROM MUNICIPAL MANAGER

PURPOSE OF THE REPORT

The purpose if this report is to replace Cllr Myers on the Municipal Public Accounts Committee.

BACKGROUND

Cllr Myers was appointed to the MPAC per item C02/08/15 by the Municipal Council at its meeting of 27 August 2015. The Executive Mayor informed the Municipal Council per item 12.4 at the Ordinary Council meeting of 29 October 2015 that she appointed Cllr Myers to her Mayoral Committee and as Chairperson of the Planning, Development and Infrastructure Committee.

The Terms of Reference of the MPAC states in paragraph 2.4 the following:

“The Municipal Council appoints the members of the Municipal Public Accounts Committee from amongst the Non-Executive Councillors.”

It furthermore states, in paragraph 3.16, the following:

“MPAC shall consist of five (5) Councillors with knowledge of financial and Governance matters, three (3) of whom shall be from the ruling party and two (2) shall be from the largest opposition party”

Given the fact that Cllr Myers is an Executive Councillor and thus disqualified of being a member of the MPAC, the current membership is as follows:

Cllr De Vries – Chairperson
Cllr Barrell
Cllr Tyokolo
Cllr Gombo
Vacant
Vacant
Mr Metelerkamp – Ex officio as Chairman of the Audit Committee.

DISCUSSION

The vacancy in the Municipal Public Accounts Committee must be filled with a Councillor from the ruling party.

FINANCIAL IMPLICATIONS
N/A

**RELEVANT LEGISLATION**

N/A

**RECOMMENDATION OF THE MAYORAL COMMITTEE**

That Cllr Louise Hart, from the ruling party, be appointed as a member of the Municipal Public Accounts Committee.

File number: 9/1/2/9
Execution: Municipal Manager
            Director: Corporate Services
            Manager: Administration
7.2

**SC02/02/16 MAYOR’S REPORT 2015/16 ADJUSTMENTS BUDGET**

**RECOMMENDATION OF THE MAYORAL COMMITTEE**

[a] That the 2015/16 approved Budget be revised and the 2015/16 amended Adjustment Budget be approved in terms of Section 28(1) of the Local Government: Municipal Finance Management Act, 2003;

[b] That the reasons for the 2015/16 Adjustment Budget, as approved in [a] above, as mentioned in the Mayor’s Report, be noted;

[c] That it be noted that the 2015/16 Adjustment Budget, as approved in [a] above, has the nett effect that the Operating Budget will increase by R46.7m and the Capital Budget will increase by R2.3m as detailed in the Mayor’s Report;

[d] That a revised SDBIP be submitted to the next Mayoral Committee Meeting and the Council Meeting detailing any amendments or alterations arising from the Adjustment Budget.

File number: 9/1/1/1

Execution: Municipal Manager
Director: Financial Services
8. CLOSURE

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