Notice is hereby given, in terms of Section 19(b) of the Local Government: Municipal Systems Act, 32 of 2000 as amended, that a SPECIAL MEETING of the MUNICIPAL COUNCIL of Knysna Municipality will be held in the COUNCIL CHAMBER, Clyde Street, Knysna on MONDAY, 18 MARCH 2019 at 12:00 to consider the business set forth in the attached agenda.

Kennis geskied hiermee as gevolg van Artikel 19(b) van die Plaaslike Regering : Munisipale Stelsels Wet, 32 van 2000, dat ’n SPESIALE VERGADERING van die MUNISIPALE RAAD van Knysna Munisipaliteit in die RAADSAAL, Clydestraat, Knysna op MAANDAG, 18 MAART 2019 om 12:00 gehou sal word ten einde sake soos uiteengesit in die aangehegte agenda te oorweeg.

Ibhunga likaMASIPALA waseKnysna lazisa ngomthetho okwisolotya 19(b) wenqubuo mgaqo olawula oMasipala, 32 of 2000, njengoko utshintshiwe, NGELENGANISO EKHETHEKILEYO yeBHUNGA likaMASIPALA waseKnysna eyakubanjelwa KWIGUMBI LEKHANSILE kwisitalato iClydee, Knysna lentanganiso iyakuba GOMVULO, NGOMHLA WE 18 EYOKWINDLA 2019 ngentsimbi ye 12:00 umba iyakuba lushishino oluchazwe kwi-agenda.

CLLR G WOLMARANS
The Speaker
Die Speaker
Usomlomo

MS P MAKOMA
Acting Municipal Manager
Waarnemende Munisipale Bestuurder
uManejala kaMasipala Obambeleyo

Date : 13 March 2019
TABLE OF CONTENTS

1. OPENING AND WELCOMING .................................................. 3
2. SILENT PRAYER ................................................................. 3
3. ATTENDANCE OF MEMBERS ................................................ 3
  3.1 COUNCILLORS PRESENT .................................................. 3
  3.2 COUNCILLORS ABSENT WITH LEAVE ............................... 3
  3.3 COUNCILLORS ABSENT WITHOUT LEAVE ......................... 3
4. NOTING OF THE PROVISIONS OF CODE OF CONDUCT FOR  COUNCILLORS ......................................................... 3
5. DISCLOSURE OF INTEREST .................................................. 3
6. NEW MATTERS SUBMITTED BY THE ACTING MUNICIPAL MANAGER .......................................................... 3
  6.1 MOTION : REMOVAL OF THE DEPUTY EXECUTIVE MAYOR : CLLR E VAN ASWEGEN ........................................... 4
  6.2 2019 – 2020 DRAFT IDP REVIEW ...................................... 8
7. ADJOURNMENT ................................................................. 10
AGENDA

1. OPENING AND WELCOMING
2. SILENT PRAYER
3. ATTENDANCE OF MEMBERS
   3.1 COUNCILLORS PRESENT
   3.2 COUNCILLOR WITH LEAVE
   3.3 COUNCILLORS WITHOUT LEAVE
5. DISCLOSURE OF INTERESTS BY COUNCILLORS
6. NEW MATTERS SUBMITTED BY THE ACTING MUNICIPAL MANAGER

6.1 REPORT FROM THE ACTING MUNICIPAL MANAGER

PURPOSE OF THE REPORT

The Speaker instructed that prior notice be given of an intention to move a motion for the removal of Deputy Executive Mayor, Cllr E van Aswegen.

BACKGROUND

The attached memorandum, signed by the majority of members of the Municipal Council, was received by the Office of the Speaker on 1 March 2019. The memorandum requests the Speaker, in terms of Rule 5(6)(a) of the Knysna Municipality’s Rules of Order for Internal Arrangements By-Law, to convene a Special Council Meeting. The mentioned Rule stipulates that the Speaker must convene such a meeting.

Furthermore, the attached Notice of Intention to Introduce a Motion: Removal of Deputy Executive Mayor from office, duly signed by Cllr P Myers and duly seconded by Cllr M Salaze, was received by the Office of the Speaker on 1 March 2019. The Motion is self-explanatory. Section 58 of the Local Government: Municipal Structures Act, 1998, stipulates that the Municipal Council may remove a Deputy Executive Mayor from office by resolution. Section 59(b) of the said Act stipulates that a Deputy Executive Mayor must vacate office during a term if removed from office by resolution of the Municipal Council.

DISCUSSION

If the motion to remove Cllr E van Aswegen as Deputy Executive Mayor is successful, a vacancy in the office of Executive Deputy Mayor will obviously occur. Section 55(2) of the afore-mentioned Act stipulates that a vacancy in the office of the Executive Deputy Mayor must be filled when necessary.

Therefor, and only if a vacancy in the Office of the Deputy Executive Mayor occur (if the Motion mentioned herein is successful) an Item will be prepared and submitted to a following Municipal Council meeting.

RECOMMENDATION OF THE ACTING MUNICIPAL MANAGER

[a] That the report on the Motion: Removal of the Deputy Executive Mayor: Cllr E van Aswegen, be noted; and

[b] That the Motion for the Removal of the Deputy Executive Mayor (Cllr E van Aswegen) duly signed and seconded, dated 1 March 2019, be considered.
APPENDIX / ADDENDUM

Memorandum to convene a Special Council Meeting dated 1 March 2019; and Notice of Intention to Introduce a Motion: Removal of the Deputy Executive Mayor from office dated 1 March 2019.

File Number: 9/1/2/14
Execution: Acting Municipal Manager
Manager: Human Resources
Payroll Officer
Manager: Administration
To: The Speaker – Cllr Wolmarans

Date: 1st March 2019.

RE: Notice to Convene a Special Council Meeting of the Knysna Municipal Council.

In terms of the Knysna Municipality: Rules of Order for Internal Arrangements By-Law, Rule 5(6)(a) a majority of councillors may request the Speaker in writing to convene a special council meeting and the Speaker must convene such a meeting at a time set out in the request.

In accordance with rule 5(6)(a), the majority of councillors who have signed below, hereby request the Speaker to convene a special council meeting on Wednesday, 13th March 2019 at 8:00am.

The business to be conducted at the meeting is to consider a motion of no-confidence (attached hereto) in the Deputy Executive Mayor, Cllr Van Aswegan in order to remove him as deputy mayor as provided for in S58 of the Local Government: Municipal Structures Act No117 of 1998.

Signed by:

Cllr Willemse: Cllr Myers: V. Myers

Cllr Davis: Cllr Wasserman: Wasserman

Cllr Tykolo: Cllr Kwinana:

Cllr Bouw-Spies: Cllr Pofadder:

Cllr Weideman: Cllr Wolmarans:

Cllr Salaze:
1st March 2019.

The Speaker
Knysna Municipal Council

Cllr Wolmarans,

RE: Notice of Intention to Introduce a Motion – Removal of the Deputy Executive Mayor from office

In accordance with Rule 26(2) of the Knysna Municipality: Rules of Order for Internal Arrangements By-Law read with Section 58 of the Local Government: Municipal Structures Act 177 of 1998; I Cllr Peter Myers hereby give notice of my intention to introduce the motion below at the special meeting of the Knysna Municipal Council to be held on 13th March 2019.

Noting:

- That the Deputy Executive Mayor has not in the view of council, performed his duties satisfactorily, and
- That such unsatisfactory performance of his duties has resulted in under delivery of services to the people of Knysna and has negatively affected the effective conduct of the normal operations of the Council

Motion:

1. That in terms of Section 58 of the Municipal Structures Act No 117 of 1998, the Deputy Executive Mayor be removed from office.

Signed by:

Cllr Peter Myers:

Seconded by:

Cllr Swaza
6.2

SC02/03/19 2019 – 2020 DRAFT IDP REVIEW

REPORT FROM EXECUTIVE MAYOR

PURPOSE OF THE REPORT

The purpose of this report is to table the 2019/2020 draft IDP (Annexure A) and draft amended MSDF (Annexure B) for Knysna Municipality to Council for approval of the publication thereof for public comment and the Status Quo Report (Annexure C) for Knysna Municipality to Council for adoption.

CURRENT REQUIREMENTS FOR CONSIDERATION

In terms of section 34 of the Municipal Systems Act, 2000 (Act 32 of 2000) it is required that Council conducts an annual review of its IDP.

“A municipal council –

- must review its integrated development plan –
  - annually in accordance with an assessment of its performance measures in terms of section 41 ; and
  - to the extent that changing circumstances so demand; and

- May amend its integrated development plan in accordance with a prescribed process.”

A draft review of the IDP must be tabled to the Council on or before 31 March 2019 in terms of the IDP and Budget Time Schedule approved by the Council on 13 August 2018 for the IDP review process. Subsequent to the tabling of the draft IDP Review, it will be advertised for public comment and further input will be invited from all relevant stakeholders.

This is the second review of the 5 year IDP (2017-2022) of Knysna Municipality and was compiled through an extensive process of public participation and involvement from relevant stakeholders. This IDP review aims to evaluate the progress of the achievement of the strategic objectives which Council have adopted for its term of office and also reflect the updated priorities of the various communities in the Greater Knysna Municipal Area. The review of the IDP will facilitate proper alignment with the annual budget of the municipality. The review of the IDP also proposes amendments to the Knysna MSDF, in order to ensure compliance with the requirements in terms of the Spatial Planning and Land Use Management Act, 2013 (SPLUMA), the Western Cape Land Use Planning Act, 2014 (LUPA) And the Knysna By-law on Municipal Land Use Planning, 2016 (The by-law).

As per Resolution CM04/10/17 Council elected to follow the procedure with intergovernmental steering committee in terms of Section 6 of the Knysna By-law on Municipal Land Use Planning (2016) for the review of the SDF. In accordance with this procedure, a Project Committee was established in accordance with the requirements of section 5 of the Knysna By-law on Municipal Land Use Planning, 2016 and an Intergovernmental Steering Committee was established in accordance with Section 5.
A Status Quo Report was finalised in December 2018. This report is, herewith submitted to Council for adoption.

In accordance with Section 5(3) of the By-law, after finalisation of the status quo report, the draft amendments for the SDF were compiled and submitted to the Intergovernmental Steering Committee for comment. The draft amended SDF, is consequently submitted to Council in accordance with Section 5(4) of the Bylaw for approval for the publication thereof for comment.

Section 21(3) of SPLUMA requires a 60 publication of proposed amendments the MSDF, as part of the IDP.

**FINANCIAL IMPLICATIONS**

Publication costs have been budgeted for.

**RELEVANT LEGISLATION**

A) Local Government: Municipal Systems Act, 2000 (MSA);
B) Local Government: Municipal Planning and Performance Management Regulations 2001;
C) Spatial Planning and Land Use Management Act, 2013 (SPLUMA)
D) Spatial Planning and Land Use Management Regulations 2015;
E) Western Cape Land Use Planning Act, 2014 (LUPA);
F) Western Cape Land Use Planning Regulations, 2015;

**RECOMMENDATION OF THE EXECUTIVE MAYOR**

[a] That the contents of the report on the 2019/2020 draft IDP Review, be noted;

[b] That the draft Integrated Development Plan (IDP) Review for 2019/2020 be approved for the publication thereof for public comment for 60 days;

[c] That the draft amended Knysna Municipal Spatial Development Framework (MSDF) be approved for the publication thereof for public comment for 60 days; and

[d] That the finalised Status Quo Report, be adopted.

**APPENDIX / ADDENDUM**

Draft IDP Review 2019/2020 (circulated separately on flash drive / CD)
Draft MSDF Review (circulated separately on flash drive / CD)
Status Quo Report (circulated separately on flash drive / CD)

File Number : 15/2/6/1/3
Execution :  Executive Mayor
Acting Municipal Manager
Director : Planning and Development
Manager : IDP
7. **ADJOURNMENT**

-oOo-