

SPECIAL COUNCIL MEETING
AGENDA
2 DECEMBER 2025



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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 on **Microsoft Teams** on **TUESDAY, 2 DECEMBER 2025** at **14:00** 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 **Microsoft Teams** op **DINSDAG, 2 DESEMBER 2025** om **14:00** gehou sal word ten einde sake soos uiteengesit in die aangehegte agenda te oorweeg.

Ibhunga lika**MASIPALA** waseKnysna lazisa ngomthetho okwisolotya 19(b) wenkqubo mgaqo olawula oMasipala, 32 of 2000, njengoko utshintshiwe, **NGENTLANGANISO EKHETHEKILEYO** ye**BHUNGA** lika**MASIPALA** waseKnysna eyakubanjelwa ku Microsoft Teams **NGOLWESIBINI, NGOMHLA WE 2 EYOMNGA 2025** ngentsimbi ye **14:00** umba iyakuba lushishino oluchazwe kwi-agenda.

CLLR M WILLEMSE

The Speaker
Die Speaker
Usomlomo

MR LULAMILE MAPHOLOBA

Municipal Manager
Munisipale Bestuurder
Mphathi kaMasipala

Date : 1 December 2025

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A G E N D A

1. **OPENING AND WELCOMING**
2. **SILENT PRAYER**
3. **ATTENDANCE OF MEMBERS**
 - 3.1 **COUNCILLORS PRESENT**
 - 3.2 **COUNCILLORS WITH LEAVE**
 - 3.3 **COUNCILLORS WITHOUT LEAVE**
4. **NOTING OF THE PROVISIONS OF CODE OF CONDUCT FOR COUNCILLORS AND CODE FOR ETHICAL LEADERSHIP AS ADOPTED BY COUNCIL**
5. **DISCLOSURE OF INTERESTS BY COUNCILLORS**

6. **NEW MATTERS SUBMITTED BY THE MUNICIPAL MANAGER**

6.1

SC01/12/25 REQUEST TO DECLARE GREATER KNYSNA MUNICIPAL AREA AS A WATER -STRESSED AREA/ LOCAL STATE OF EMERGENCY FOR THE WATER SITUATION

REPORT FROM THE DIRECTOR COMMUNITY SERVICES

1. **PURPOSE OF THE REPORT**

The purpose of this report is to inform Council of the current water challenges in the Knysna Municipal area and to solicit a decision to declare Greater Knysna Municipal Area as a water- stressed area/local state of emergency.

2. **DELEGATED AUTHORITY**

Council

3. **PREVIOUS COUNCIL RESOLUTION**

**SC02/11/25 DRAFT REPORT ON POTENTIAL DROUGHT IN THE GREATER
KNYSNA AREA**

UNANIMOUSLY RESOLVED

- [a] That the Draft Report on Potential Drought in the Greater Knysna area, be noted;*
- [b] That the Finance Services assist the Infrastructure Services by identifying which properties are not paying for water consumption, and to be able to identify which properties have been further bypassed;*
- [c] That the awareness of level 3 water restrictions be amplified;*
- [d] That Council recommends a special council meeting to declare the Local drought;*
- [e] That an urgent site visit to Charlesford be arranged for the full Council; and*
- [f] That stronger law enforcement measures be implemented, including but not limiting to, issue fines to customers found or reported to be abusing water with immediate effect.*

4. BACKGROUND

The Knysna Municipality has been experiencing significant challenges with its water resources, with drought and water scarcity being a recurring issue. The Knysna Municipality's water supply is under severe pressure due to a combination of factors, including drought, population growth and aging infrastructure. The current water level at the Charlesford weir is critically low and the pumps are switched off intermittently to allow the weir to re-charge. The Akkerkloof Dam is at 25 % which is an off-channel dam. We replenish this dam with water from Charlesford weir, the Glebe and Gouna which is also very low.

Various meetings were held where a decision was taken to formally convene/activate the Joint Operation Centre (JOC) under the auspices of the Directorate Community Services in line with the Knysna Disaster Management Plan and Disaster Management Act to discuss and liaise with the Garden Route District Disaster Management Centre and the Provincial Disaster Management Centre.

The Disaster Management Act, 2002, as amended, states in Section 54(1)(b) that the Council of a District Municipality, after consulting the relevant local municipality, is primarily responsible for the co-ordination and management of local disasters that occur in its area. Subsection (2) of the said section states the local municipality may assume the role of primary responsibility if such an agreement is reached with the district municipality.

Garden Route District Municipality and Knysna (Local) Municipality has no agreement in place in order for Knysna Municipality to assume primary responsibility for local disasters. Therefore, Garden Route District Municipality is legally primarily in charge of co-ordinating and managing a local disaster.

Due to the rapid deterioration of the water situation in the Knysna Municipal area a request to be declared as a water – stressed area/local state of emergency, as per section 49 of the Disaster Management Act, Act 57 of 2002,

5. WATER DELIVER RATIONALE

It is customary that trucks roam affected areas street-by-street when delivering water, stopping periodically to allow people to fill their containers. This is the methodology for both formal and informal areas. The trucks will also service schools, cresches, clinics and places of public interest directly as they unusually require more water and have on-site storage.

In order to maintain an orderly predicable distribution the following operating procedures will be followed:

1. Water tankers will primarily cart water to our water purification plant in stead of roaming the area to ensure the water network is kept operationally at a lower water pressure in the distribution system.

If and when required water tankers will be dispatched as below:

2. Drivers arrive at the vehicles at 6h00 and proceed to fill up immediately.
3. Trucks are dispatched to the affected areas as identified through the JOC communications channel and/or the Water Department.
4. Trucks are assigned to specific water zones as determined by the reservoir delivery areas and the water department.

5. At 8h30 or thereabouts, week days and weekends, trucks will be diverted from their routes to schools, creches, clinics and other places of public interest in order to service them.
6. Water deliveries will end at 22h00 or later as instructed by the JOC.

It must be noted that the system is being managed continuously and water outages may therefore be dynamic. Crews on the ground may be directed by the Water Department as zones come on line or others dry up, until such time as the system stabilizes. The Department Infrastructure must update the JOC on the hour on the status of the system and will manage the system dynamically which may include suspending deliveries in order to fill reservoirs.

In areas or zones where tanks have been placed at strategic points, street-by-street deliveries will not be done but those tanks will receive priority filling once they have been depleted.

6. MOTIVATION AND REASON FOR DECLARATION

The Knysna Municipality meets the criteria for declaration a water-stressed area due to the following reasons:

- **Water Scarcity:** The municipality's water sources are under severe stress, and the current supply is not sufficient to meet the demand.
- **Drought:** The area has been experiencing drought conditions, which have significantly impacted the water levels in our rivers and dams.
- **Infrastructure challenges:** the aging water infrastructure is struggling to meet demands of the growing population, leading to increased risk of water losses and contamination.

In view of the magnitude of the emerging slow onset of the water situation in the Greater Knysna Municipal area it is clear that the current situation needs a more strategic co-ordinated intervention to ensure and protect the vulnerable water infrastructure from total collapse and to ensure that all relevant Government Institutions are fully briefed and to mobilise resources needed to arrest the current situation and to work towards implementing action plans to address the current water challenges experienced in Knysna. The Department of Water Affairs is seen as the custodian of all water resources in the country therefore it is essential that this Department be included as one of the crucial role players in the roll out of mitigation actions.

To elevate the current situation to a higher level of intervention the declaration of the Garden Route District (Knysna) as a water – stressed/local state of emergency to be considered.

7. LEGISLATION

Disaster Management Act 57 of 2002 (DMA), as amended
Responsibilities in event of local disaster – Section 54.

- (1) Irrespective of whether a local state of disaster has been declared in terms of section 55
 - (a) the council of a metropolitan municipality is primarily responsible for the co-ordination and management of local disasters that occur in its area and
 - (b) the council of a district municipality, acting after consultation with the relevant local municipality, is primarily responsible for the co-ordination and management of local disasters that occur in its area.

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- (2) A district municipality and the relevant local municipality may, despite subsection (1)(b), agree that the council of the local municipality assumes primary responsibility for the co-ordination and management of a local disaster that has occurred or may occur in the area of the local municipality.
 - (3) The municipality having primary responsibility for the co-ordination and management of a local disaster must deal with a local disaster-
 - (a) in terms of existing legislation and contingency arrangements, if a local state of disaster has not been declared in terms of section 55(1); or
 - (b) in terms of existing legislation and contingency arrangements as augmented by by-laws or directions made or issued in terms of section 55(2), if a local state of disaster has been declared.
 - (4) This section does not preclude a national or provincial organ of state, or another municipality or municipal organ of state from providing assistance to a municipality to deal with a local disaster and its consequences.

Declaration of local state of disaster – Section 55.

- (1) In the event of a local disaster the council of a municipality having primary responsibility for the co-ordination and management of the disaster may, by notice in the provincial gazette, declare a local state of disaster if-
 - (a) existing legislation and contingency arrangements do not adequately provide for that municipality to deal effectively with the disaster; or
 - (b) other special circumstances warrant the declaration of a local state of disaster.
- (2) If a local state of disaster has been declared in terms of subsection (1), the municipal council concerned may, subject to subsection (3), make by-laws or issue directions, or authorise the issue of directions. Concerning the release of any available resources of the municipality, including stores, equipment, vehicles and facilities.

the release of personnel of the municipality for the rendering of emergency services.
the implementation of all or any of the provisions of a municipal disaster management plan that are applicable in the circumstances.

the evacuation to temporary shelters of all or part of the population from the disaster-stricken or threatened area if such action is necessary for the preservation of life.

the regulation of traffic to, from or within the disaster-stricken or threatened area.

the regulation of the movement of persons and goods to, from or within the disaster-stricken or threatened area.

the control and occupancy of premises in the disaster-stricken or threatened area.

the provision, control or use of temporary emergency accommodation.

the suspension or limiting of the sale, dispensing or transportation of alcoholic beverages in the disaster-stricken or threatened area.

the maintenance or installation of temporary lines of communication to, from or within the disaster area.

the dissemination of information required for dealing with the disaster.

emergency procurement procedures.

the facilitation of response and post-disaster recovery and rehabilitation: or

other steps that may be necessary to prevent an escalation of the disaster,

- (3) The powers referred to in subsection (2) may be exercised only to the extent that this is necessary for the purpose of—
assisting and protecting the public.
providing relief to the public.
protecting property.
preventing or combating disruption; or
dealing with the destructive and other effects of the disaster. Funding of Post-Disaster Recovery and Rehabilitation: Guiding principles – section 56

This Chapter is subject of sections 16 and 25 of the Public Finance Management Act, 1999 which provide for the use of funds in emergency situations.

- (2) When a disaster occurs, the following principles apply:
National, provincial and local organs of state may financially contribute to response efforts and post-disaster recovery and rehabilitation.
- (4) Any financial assistance provided by a national, provincial or municipal organ of state in terms of subsection (2)(a) must be in accordance with the national disaster management framework and any applicable post-disaster recovery and rehabilitation policy of the relevant sphere of government, and may take into account:

whether any prevention and mitigation measures were taken. and if not. the reasons for the absence of such measures.

whether the disaster could have been avoided or minimised had prevention and mitigation measures been taken.

whether it is reasonable to expect that prevention and mitigation measures should have been taken in the circumstances.

(a) whether the damage caused by the disaster is covered by adequate insurance and if not, the reasons for the absence or inadequacy of insurance cover:

(b) the extent of financial assistance available from community, public or other non-governmental support programmes: and

(c) the magnitude and severity of the disaster, the financial capacity of the victims of the disaster and their accessibility to commercial insurance.

Disaster occurring or threatening to occur in municipal areas - Sec. 49.

- (1) When a disastrous event occurs or is threatening to occur in the area of a Municipality, the disaster management center of the municipality concerned must determine whether the event should be regarded as a disaster in terms of this Act, and, if so, must immediately-
initiate efforts to assess the magnitude and severity or potential magnitude and severity of the disaster.
inform the National Centre and the relevant provincial disaster management center of the disaster and its initial assessment of the magnitude and severity or potential magnitude and severity of the disaster.
alert disaster management role-players in the municipal area that may be of assistance in the circumstances; and
initiate the implementation of any contingency plans and emergency procedures that may be applicable in the circumstances.
- (2) When informing the National Centre and the relevant provincial disaster management centre in terms of subsection (1)(b), the municipal disaster

management centre may make such recommendations regarding the classification of the disaster as may be appropriate.”

FINANCIAL IMPLICATIONS

Section 56(4) of the Disaster Management Act places an obligation on the authority to follow the guidelines provided in terms of the National Disaster Management Framework of 2005 refer Government Notice 654 of 2005. In terms of the aforementioned framework the following must be noted:

- (7.7.1.2) Financial assistance will only be provided after taking into account the disaster risk reduction measures taken prior to the onset of the disaster;
- In terms of Section 56 (3) of the Disaster Management Act the Disaster Management Framework further prescribes a percentage of the local municipalities own budget as a threshold that must be allocated to address the disaster before additional financial assistance, from Provincial as well as National government could be requested.

According to this Framework the threshold percentage for the Knysna Municipality is 0, 6% of their own revenue.

Section 29 of the Municipal Finance Management, Act 63 of 2003 allows a Mayor to authorize unforeseen and unavoidable expenditure in emergency or exceptional circumstances for which no provision was made in the approved budget.

RECOMMENDATIONS FROM THE MUNICIPAL MANAGER

- a) That the current water challenges within the Greater Knysna Area be noted.
- b) That the request for the declaration of Greater Knysna Municipal Area as a water-stressed/ state of emergency be approved, to allow for National- as well as Provincial interventions to be completed, as well as to be evaluated for their effectiveness in providing sustainable water solutions for the area;
- c) That the Garden Route District Disaster Management Centre be mandated in consultation with the Knysna Local Disaster Management Unit to coordinate the short as well as medium term interventions needed to address this crisis.
- d) That Council approve additional funds in terms of Section 29 of the Municipal Finance Management Act, 2003 for contingencies that might occur such as fuel, fittings, stationary water tanks, rental of water trucks and other associated costs such as overtime that might occur and the overtime threshold for overtime be increased to a 60/hour limit;
- e) That approximately 20 X 5000 litre water tanks be purchased and placed at strategic points within the various critical Wards in the Greater Knysna Municipal Area.
- f) That all communication regarding the water emergency be dealt with by the Knysna Municipal Communications Section and the Public Participation Unit.
- g) That the overall co-ordination of the water-stressed/ state of emergency situation be dealt with as per the Knysna Disaster Management Plan under the Directorate Community Services.

- h) That ALL punitive measures be taken to ensure compliance with the Knysna Municipality water related Policies and Procedures and By-Laws.

Appendix / Addendum

None

Execution: Director: Community Services

- 7. **CONSIDERATION OF QUESTIONS**
- 8. **CONSIDERATIONS OF MOTIONS**
- 9. **CONSIDERATION OF MOTIONS OF EXIGENCY**
- 10. **IN COMMITTEE** (None)
- 11. **ADJOURNMENT**

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