

07 August 2025

Mr J Mettler  
Municipal Manager  
City of Tshwane Metropolitan Municipality  
Isivuni Building  
Lilian Ngoyi and Madiba Street  
PRETORIA  
0001

Dear Mr Mettler

**RE: Urgent Call to Abandon The Meritless Appeal Against The Unlawful City Cleansing Levy**

We address this letter to you following the judgment handed down regarding the unlawful implementation of the city cleansing levy. As the applicant in this case, AfriForum deems it necessary to formally raise our concerns regarding the City's response to the ruling, as well as the implications of pursuing an appeal in light of the Court's strong findings against the City.

On 31 July 2025, the North Gauteng High Court handed down a ruling against the City of Tshwane that can only be described as scathing. The Court did not merely declare the levy unlawful - it openly condemned the manner in which the City of Tshwane conducted itself throughout the process. The Court took particular issue with the lack of transparency and consistency in how the levy was introduced, justified, and defended by the City - and described its case as "confused", "misleading," and "lacking coherence". It made clear that the City's conduct showed a disregard for both its legal duties and its obligation to serve the residents of this metro.

Despite this, the City reactively announced - barely 24 hours later and clearly without fully considering the content of the judgement - its intention to appeal. This is evident through Cllr Obakeng Ramabodu's press release on 1 August 2025, which casually ignored the judgment's seriousness and completely sidestepped its core findings – playing cheap politics rather than taking responsibility. This highlights the fact that the politicians and their colleagues are intent on proceeding down a reckless and politically motivated path, rather than one grounded in legal merit or fiscal responsibility.

Let us be frank: Neither Tshwane nor those driving this meritless case can afford this.

The city is now facing a deficit of roughly R500 million due to the levy's annulment. A cost order has already been issued against the City on an attorney-and-client scale, reflecting the courts displeasure with the City's conduct and weak arguments. If the appeal proceeds and fails, as it likely will, further costs - possibly rising into the millions of rands - may follow.

The result? A staggering loss of public funds spent defending the indefensible.

Further to the above, we wish to highlight following as well:

June 2024

**Address:** 58 Union Avenue, Kloofsig, Centurion • **Tel.:** 086 10 200 30  
**Member Affairs – Email:** ledesake@afriforum.co.za • **Directors:** Ms A. Bailey, Mr P.J.W. Buys, Dr H.K. Coetzee, Mr P.L. Dekker, Mr F.J.D. de Klerk, Mr G.R. de Vries, Dr D.J. Hermann, Mr W.G. Human, Mr C.M. Kriel and Dr R. Pretorius. • **Company Secretary:** Mr W.A. Vogel.  
**Registration number:** 2005/042861/08 • **NGO number:** 054 - 590

Only two days after the city filed the answering affidavit, on 26 June 2025, the City Council considered a report titled “City of Tshwane (Cot) Metropolitan Municipality: Solid Waste Management (SWM) Sector Reform Strategy”.

Even from a superficial perusal of the document, it is evident that the deponent to the answering affidavit Mr Louis Makhubele, played a crucial role in the compilation of this document and should be well aware of the content thereof. We do not wish to deal with the whole report in this letter but reserve our rights in respect thereof at the right place and forum. However, we find it prudent to draw your attention to some key points.

The report lists key factors which have adversely affected the efficiency in the management of the municipal solid waste, such as: Financial constraints, inadequate infrastructure and resources, lack of adherence to municipal bylaws and regulations, illegal dumping, public awareness and participation, and operational inefficiencies.

The report confirms that solid waste management is in decline. It acknowledges that this decline has dire consequences which impacts the health and wellbeing of the citizenry. Yet, contrary to the facts contained in the City’s own report, Mr Makubekle affirmed – under oath - in the City’s answering affidavit that the City has the capacity to provide waste removal services to all residents in Pretoria, and those who do not make use of the City’s services do so, not because the City’s service delivery is seriously lacking (as the report suggests), but because they are “Freeloaders” and choose to use private service providers.

Simply, the averments made by Mr Maluleke in the affidavit is untruthful and countered – not only by the daily lived experiences of Tshwane residents, but also by the report which he himself had a hand in compiling.

Moreover, AfriForum wishes to inform you, your legal advisors, and the Councillors bent on pursuing an appeal against the City Cleansing Levy decision, that there have been cases where public officials who acted in bad faith, exceeded their legal powers, or conducted litigation recklessly, faced personal cost orders imposed on them and not only the entity they represent.

AfriForum supports this approach and holds that public officials should not enjoy personal indemnity - at the expense of the taxpayer - when they knowingly misuse public funds to drive unmeritorious, frivolous and politically motivated litigation.

Accordingly, we urge you to reconsider the appeal. End this wasteful legal battle, accept the ruling and begin the preparation of a lawful, service-based and compliant budget in the best interest for all of the City’s residents.

AfriForum will not back down on this issue and will continue to fight and build towards a free, safe and prosperous future for Pretoria.

Kind regards,

**Arno Roodt**  
**District Coordinator: Greater Pretoria South**  
**AfriForum**

Cell: 081 217 5440

Email: [arno.roodt@afriforum.co.za](mailto:arno.roodt@afriforum.co.za)

