

MINUTES OF THE SPECIAL COUNCIL MEETING OF WITZENBERG MUNICIPALITY, HELD IN THE TOWN HALL, VOORTREKKER STREET, CERES ON THURSDAY, 7 APRIL 2022 AT 09:00

PRESENT

Councillors

Councillor JS Mouton (Speaker) (ANC)
Alderman HJ Smit (Executive Mayor) (DA)
Councillor FE Klazen (Deputy Executive Mayor) (GOOD)
Councillor S de Bruin (DA)
Councillor GJ Franse (DA)
Councillor EM Sidego (DA)
Councillor D Swart (DA)
Alderman JJ Visagie (DA)
Councillor AL Gili (ANC)
Councillor N Nogcinisa (ANC)
Councillor N Phatsoane (ANC)
Councillor K Yisa (ANC)
Councillor J Zalie (ANC)
Councillor J Cloete (PA)
Councillor LA Hardnek (Witzenberg Party)
Councillor GG Laban (Witzenberg Aksie)
Councillor IL Swartz (EFF)

Officials

Mr D Nasson (Municipal Manager)
Mr HJ Kritzinger (Director: Finance)
Mr J Barnard (Director: Technical Services)
Mr M Mpeluza (Director: Corporate Services)
Mr P van den Heever (Senior Manager: Electro-Technical Services)
Ms L Nieuwenhuis (Manager: Legal Services)
Ms R Hendricks (Manager: Communication and Marketing)
Mr CG Wessels (Manager: Administration)
Ms M Arendse-Smith (Chief Administrative Officer)
Mr C Titus (Committee Clerk)
Mr R Rhode (ICT Administrator)
Mr J Pieterse (Senior ICT Officer)

Other representatives

Mr Donald Matheson (Lotus Bakeries South Africa)

1. OPENING AND WELCOME / OPENING EN VERWELKOMING

The Speaker welcomed everyone present, especially Mr Donald Matheson of Messrs Lotus SA Bakeries, after which she requested Pastor Pieter Swartz to open the meeting with a prayer.

NOTED

2. LEAVE OF ABSENCE AND CONFIDENTIALITY AND CONFLICT OF INTEREST DECLARATION

2.1 Consideration of application for leave of absence, if any
Aansoeke om verlof tot afwesigheid, indien enige
(3/1/2/1)

Applications for leave of absence from the meeting were received from Aldermen K Adams, BC Klaasen and Councillors MJ Ndaba and JP Fredericks.

The Speaker rendered, on behalf of Councillor P Heradien, an apology due to the short notice for the Special Council meeting.

UNANIMOUSLY RESOLVED

that the applications for leave of absence from the meeting, received from Aldermen K Adams and BC Klaasen and Councillors MJ Ndaba, JP Fredericks and an apology rendered by Speaker on behalf of Councillor P Heradien due to short notice of the meeting be approved and accepted.

EENPARIG BESLUIT

dat die aansoeke om verlof tot afwesigheid van die vergadering, ontvang vanaf Raadshere K Adams en BC Klaasen en Raadslede MJ Ndaba, JP Fredericks en 'n verskoning aangebied deur die Speaker namens Raadslid P Heradien weens die kort kennisgewing van die vergadering goedgekeur en aanvaar word.

2.2 Confidentiality and Conflict of Interest Declaration
Vertroulikheid en Botsing van Belange Verklaring
(3/2/1)

The Confidentiality and Conflict of Interest Declaration is attached as **annexure 2.2**.

The Confidentiality and Conflict of Interest Declaration was duly signed by all Councillors.

NOTED

3. RESERVED POWERS / GERESERVEERDE BEVOEGDHEDE

3.1 Lotus: Load lopping: Electrical energy network limitations (16/3/4/1)

A memorandum from the Senior Manager: Electro-Technical Services, dated 3 March 2022, with annexures, is attached as **annexure 3.1(a)**.

Mr Donald Matheson of Messrs Lotus SA Bakeries made a presentation in respect of the Lotus: Load lopping: Electrical energy network limitations, which is attached as **annexure 3.1(b)**.

Council enquired with regard to various matters on which Mr Matheson provided clarity to the satisfaction of Council.

UNANIMOUSLY RESOLVED

- (a) that Council approves the principle of 'load lopping' (load shaving) in the case of the Lotus development which enlists the use Photo Voltaic / Battery Storage / Diesel generators to overcome the shortage of electrical capacity due to the Eskom constraints.*
- (b) that the Developer be allowed to generate his own supplemental power until such time that Eskom can provide the municipality with increased capacity.*
- (c) that the Developer notes the fact that Eskom currently has no plans on the table for the foreseeable future for the increased capacity of Wolseley's Notified Maximum Demand.*
- (d) The developer will be required, at own cost, to install a suitable real time PLC controller and related equipment, set to the satisfaction of the Director: Technical Services, which will ensure that the Lotus development stays out of Witzenberg's Notified Maximum Demand as stipulated by Eskom.*
- (e) The Developer will be required to provide monthly reports confirming the municipal load versus Lotus supplemental load as proof that the load lopping is indeed operating as envisioned.*
- (f) that should the load lopping (load shaving) equipment fail and it can be shown that it has resulted in the exceedance of the Notified Maximum Demand, then Lotus will be responsible for any penalties that Eskom applies to the municipality.*
- (g) The Developer undertakes to perform reasonable upgrades, at own cost (estimated R4 million) , to the municipal network of Wolseley in order to ensure that once Eskom is able to supply an increased Notified Maximum Demand that the network will be able to carry the additional requested 1 MVA capacity.*

4. ADJOURNMENT / VERDAGING

The meeting adjourned at 10:20.

Approved on _____ with / without amendments.

COUNCILLOR JS MOUTON
SPEAKER

/MJ Prins