



The Gateway to Endless Opportunities

**MEDIA BRIEFING BY HER WORSHIP, CLLR SADE
GAWANAS MAYOR OF WINDHOEK, ON OVERALL
PERFORMANCE FOR PAST 6 MONTHS**

TUESDAY, 26 JULY 2022

10:00

COUNCIL CHAMBERS

Hon. Councillors of the City of Windhoek, present
Mr. O'Brien Hekandjo, Acting Chief Executive Officer,
Strategic Executives and Officials, present,
Windhoek Residents,
Members of the Media,
Ladies and Gentlemen,

Good morning,

Allow me from the onset, to extend a warm welcome to all of you present here, in my capacity as Mayor and Chairperson of Council.

I am immensely grateful that you are here amidst the turmoil of recent controversial media articles and overwhelming media attention. Today's media briefing was scheduled to report on the activities of Council for the past 6 months. However, unfortunately, as politics would have it, there was an opportunistic press conference held yesterday by the Chairperson of the Management Committee, Cllr. Larandja.

Today's press conference was previously scheduled to take place and is thus, not a reactive one, to yesterday's press conference held by two IPC Management Committee members. It is very disappointing of IPC to have used a Council platform to score political points. So as the chairperson of Council, a leader, entrusted to run the affairs of Council, I will now address a few matters.

Before we begin, I would like to say that the era of mismanagement of Council resources, infrastructure and the enjoyment of the gravy train, ended in December 2020.

We understand that change is inevitable. We also understand that change is difficult and there will be constant resistance in trying to change the current status quo. What is also very clear, and of which we take cognisance is, that it is unrealistic to expect

high impact within a year and 6 months, also considering the political dynamics of today. It is unreasonable to think that addressing the mismanagement of resources, toxic culture and values of certain individuals and the rebuilding of this organisation will happen in five years - especially when we have to sensitise the masses to the facts that things can no longer be as they used to be and that accountability and commitment should be at the forefront of channelling all resources available to us, to effect real change at grassroots level.

Some political parties do not understand common purpose, and common agendas, for common objectives. Instead, they try to hijack the leadership to navigate at will and whim. No, that cannot be!

Council is acutely aware of the financial situation of the City and there are two committees namely the Financial Sustainability Committee (Chaired by Cllr. Nujoma and the Audit Risk Committee) which report to Council in terms of managing the finances and rebuilding sound financial stewardship. These are the committees together with a functioning Management Committee, tasked and delegated to assist Council to make financially prudent decisions. I also trust that the capable leadership will address these matters to the best of their abilities, as both political leaderships, committees and the officials implementing council resolutions.

The City of Windhoek may look good from the outside but, it has been rotting, decaying slowly but surely. Yes, the truth hurts but, we are here now! And the question needs to be answered: what are we going to do about it? Council has not failed - some individuals have failed us. Our assignment is very clear: go out there and effect change so that the most vulnerable in society can benefit and restore their dignity. Thus, amidst the sensational reporting, important information, achievements, milestones that will change lives, are lost in mainstream media. I am in support of every employee who works towards the development of our beautiful city. I take cognisance of the immense pressure our staff work under. I am committed to support staff members and to streamline all resources for the benefit of all of us. We are together in all of this. I urge you to remain committed and steadfast in our resolve and to continue making a

difference. I share my sincere gratitude to Council for their belief and commitment and to each employee creating conducive environments.

We will now look at key areas of focus

- Strategic Plan 2022-2027
- Land and electrification 5-year plans
- Familiarisation visits and renewal of agreements with Sister Local Authorities.
- Courtesy visits and key discussions/outcomes.
- Council Meeting Highlights
- Recruitment and selection process of CEO

Strategic Plan 2022-2027

The Municipal Council of Windhoek's Transformation Strategic Plan (2017-2022), ended in June 2022. As good governance principles dictate, we have been making strides in the planning and drafting of our new strategic plan for 2022-2027. The engagements with Councillors, Strategic Executives, employees, and all relevant stakeholders have progressed and we have shown our utmost commitment to improve on service delivery and focus our energy on the following areas:

- 1) Basic services and land delivery
- 2) Formalisation and upgrading of informal settlements
- 3) Public safety & disaster risk management
- 4) Economic development
- 5) Sourcing of funds for capital and social projects
- 6) Transforming towards best practice smart city standards
- 7) Strengthening the organizational capacities and process to respond to our customer needs

Most importantly we have looked at the long-term plans especially in terms of the spatial development framework which is planning for 20 years and focuses on the trajectory growth of our populace. These efforts are to ensure long-term financial, environmental, economic, and social sustainability.

What emerges with these engagements and consultations has been the common understanding to effect deliberate transition management, organisational

effectiveness, and responsible financial management, to address the basic needs of our community at large. The future is exciting and once finalised, we will launch the new strategic plan for 2022-2027.

Update on Land Developments

1. Council set a target to plan and availed 15,000 erven during Council's term of office of which 12,000 erven targeted the low-income segment of the market and 3,000 erven targeted the middle and high-income market segments. Availing erven translates directly to housing opportunities however, this involves significant finances and time to implement.
2. To maximise efficiency and effectiveness in housing delivery, Council passed the Affordable Housing Policy and further resolved to enter into development agreements for affordable housing with NHE and representative bodies of Saving Schemes in the country. Delivery of the first houses under this arrangement is expected within a year and 6 months.

We all know that housing is a fundamental human right, and everyone deserves to have a roof over their heads. However, it is a sad reality that many families in Windhoek and Namibia at large (particularly middle to low-income areas or single-family homes), struggle to afford basic housing. Our economy plays a major role in the housing crisis in Namibia. Whilst the cost of living and food prices soar, salaries remain stagnant. This becomes a problem, as many people are not in the financial position to purchase a house or pay their dues.

There is already a backlog in housing, which is one of the biggest problems facing us. Many Namibians need proper housing but instead, find themselves living under unhealthy conditions in informal settlements. The rapid rural to urban migration trends also place severe strain, due to rapid urbanisation as more people move to Windhoek in search of better opportunities. This fact is especially challenging in terms of land and housing delivery.

That said, there is some good news and hope which I will now share with you:

Certificates of Acknowledgement of Occupation

In July 2019, Council as per Resolution 171/07/2019 adopted the Development and Upgrading Policy which guides for the formalisation and upgrading of informal settlements. To alleviate the urgent accommodation need and strengthen security of tenure, Council issued over 21,000 Certificates of Recognition of Occupation to households living informal settlements, made provision for Controlled Entry, Pre-Allocation, and full implementation of the Flexible Land Tenure Act.

One of the shifts in the policy is that people living in the informal settlements who have not undergone any form of planning, are now recognised by way of an “*an acknowledgement of occupation letter*”. In February 2021, Council resolved that, the recognition of occupation must be issued in the form of a certificate and associated lease agreement. Within, a period of two (2) years, the Municipal Council of Windhoek issued 29,136 *Certificates of Acknowledgement of Occupation* of which 21,133 (73%) were issued to household heads in the informal settlements. A total of another 8000 minimum certificates will be issued in August 2022 and shall continue.

A detailed breakdown is as follows:

Constituency	Printed	Issued	Percentage Issued
Samora Machel	15,618	11,274	72%
Moses Garoeb	6,156	3,939	64%
Tobias Hainyeko	4,680	3,527	75%
Khomasdal	1,422	1,137	80%
Windhoek Rural	1,260	1,256	100%
Total	29,136	21,133	73%

Relocation of Households from the Road Reserve

The Municipal Council of Windhoek and Ongos Valley Development (Pty) Ltd as part of the road upgrading to a dual-carriage road, successfully **relocated 215 Households** from the Eneas Peter Nanyemba Road (previously Monte Christo Road), to planned sites on a portion of Farm 1030. The project is ongoing and includes construction of a municipal market to accommodate traders at the intersection of Eneas Peter Nanyemba and Matshitshi Streets.

Informal Settlement Pilot Affordable Housing Project

The Ministry of Urban and Rural Development, Khomas Regional Council, Municipal Council of Windhoek and the National Housing Enterprise (NHE) entered into an MOU for the construction of 1,200 Affordable Housing Units in the low-income areas of Windhoek. The Municipality of Windhoek and NHE are implementing agents responsible for the construction of 600 houses each. The agreed duration of the project as set out in the MoU is two (2) years from July 2020 to June 2022. Delays in the commencement of construction and complications related to COVID-19, resulted in the extension of the project completion date. From the given total of 600 houses, the **municipality constructed and handed over 320 Affordable Houses**. The project is ongoing and the new completion date is set for 30 November 2022.

Areas where construction of housing units is taking place are: Onyika Informal Settlement (Okuryangava), Freedom Land A and B Informal Settlement (Okuryangava), Havana Township, and formal sites in Goreangab, Otjomuise and Katutura. The NHE project areas are Greenwell Matongo D.

Commencement of the Council Housing Project

In October 2021 via Resolution 217/10/2021, Council adopted the Affordable Housing Policy as its policy guide in housing. Further to the above and due to mainly a housing crisis which was exacerbated by the lack of investor appetite in affordable housing, Council resolved per CR 220/10/2021, to enter the Affordable Housing Market and start with the actual construction of houses through a programme to be known as the Windhoek Housing Programme (WHP). To test the concept, Council in April 2022, identified eight (8) unserviced erven and commenced with servicing the erven which was completed in June 2022. The construction of affordable housing units is scheduled to start in August 2022 and anticipated completion is six (6) weeks after commencement. The servicing of eight (8) erven, marked the start of the Windhoek Housing Project. Beneficiaries of the project will be sourced from the land and housing waiting lists.

Delivery of Serviced Land through PPPs

With the end of the strategic plan (2017-2022), Council entered into 14 PPP agreements and one co-development for the servicing of 2,903 erven zoned as follows:

Single Residential (2,429 erven),
General Residential (237 erven),
Business (125 erven),
Institutional (16 erven) and
Other land uses (96 erven).

From the given total of 1,076 residential and single residential zoned erven, are at sales stage and over 90% are sold. The project team is working at full speed to accelerate the completion of the projects still in the design and construction phase and those at Statutory Planning Phase. We are looking at fast tracking delivery as well as cancelling agreements that have not benefitted Council.

Property Leases

For the period, July to December 2022, the Municipality signed 978 leases in the informal settlement. This is extremely low and will be reviewed to understand why it is taking so long.

Cadastral Survey (Groot Aub)

As part of the effort to streamline the integration of Groot Aub, Council embarked on a project to survey all farming units in Groot Aub. To date, 65% of the farms were surveyed. Survey of the farming units is expected within a month followed by the confirmation of a boundary for erven in Groot Aub Proper, Extension 1 and 2. Completion of the survey will be followed by entry into lease agreements with all households and farmers without a title. About 99% of residents of Groot Aub are without a formal land title at this stage.

Electrification

Ladies and gentleman,

Electricity is a basic service commodity. Owing to the lack of electricity services in Windhoek's informal areas, the rate of electricity theft (via illegal electricity)

connections amongst the residents of these communities, has skyrocketed. These illegal connections affect the surrounding areas, causing overloading, interruptions, revenue losses, unaccounted electricity usage, safety hazards such electrocution and fires, electrical losses, and general poor service provision to the residents - which impacts Council's reputation.

The objectives of the electrification project are as follow:

- To **reduce and address illegal connections and theft** of electricity within the Windhoek's informal areas;
- To **increase access to electricity services** within Windhoek's informal areas;
- To **Improve public safety** by providing area lighting;

The electrification projects aim to provide individual service connections to households in the informal settlements around Windhoek. In addition, some informal settlements were provided with area lighting with the installation of High Mast Lights, to improve the public safety and visibility. The projects were funded by the Central Government of the Republic of Namibia through budget allocations in the Ministry of Urban and Rural Development. NamPower also provided funding for electrification of informal settlements during 2020/2021 financial year.

The planning and project management of the projects were done internally by Council's Electrical Engineers. Electrical infrastructures were constructed by Electrical Contractors, appointed annually and supervised by the Electricity Department.

The following **individual connections** were **completed** during the **2019/2020**:

Informal Settlement	Constituency	Number of Service Connections (completed)
Okahandja Park	Tobias Hainyeko	126
Havana Proper, Extension 1, 2 & 3	Moses Garoeb	899
Total completed & energised connections		1025

During the same period, the following informal settlements were **provided with area lighting**:

Informal Settlement	Constituency	Number of High Mast Lights (completed)
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Havana Extensions	Moses Garoeb	2
Havana Ext 6 & 7	Samora Machel	2
Tobias Hainyeko	Tobias Hainyeko	3
Groot Aub	Windhoek Rural	2
Mix Settlement	Windhoek Rural	2

The following **individual connections** were **completed** during **2020/2021**:

Informal Settlement	Constituency	Number of Service Connections (completed)
Havana Ext. 1 & 3	Moses Garoeb	650
Otjomuise 6&7 + Khaetani Group	Khomasdal	559
Babilon/One Nation (erf 3219 & 3220), Babilon, Kilimanjaro, Okahandja Park B, Ongulumbashe	Tobias Hainyeko	344
Havana Ext 6&7	Samora Machel	116
Total completed & energised connections		1669

- Eliaser Tuhadeleni Informal Market was also electrified during the 2020/2021 financial year.

During the same period, the following informal settlements were **provided with area lighting**:

Informal Settlement	Constituency	Number of High Mast Lights (completed)
Eehambo daNehale / Interlocks	Moses Garoeb	1
Soccer Field (Tlabanello)	Samora Machel	1
Kilimanjaro	Tobias Hainyeko	1
Mukwanangombe	Tobias Hainyeko	1
Mix Settlement	Windhoek Rural	2

The following connections are planned to be completed during 2022/2023:

Informal Settlement	Constituency	Location / Erf Number	Number of households to be electrified
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Havana EXT 6 & 7	Samora Machel	1121, 1122, 123, 1137, 1138 & 1118	162
Kilimanjaro	Tobias Hainyeko	3315	152
Okahandja Park B&C	Tobias Hainyeko	Okahandja Park B&C	118
Havana EXT 1	Moses Garoeb	411, 412, 413, 301-317, 318, 319 & 321	250
Havana Extension 1	Moses Garoeb	Walvis Bay, Aranos, Arandis & Ondangwa Streets	235
Okuryangava (Block erf 3216, 3192 & 3193)	Tobias Hainyeko	Block Erf 3216, 3192 & 3193	64
Otjomuise	Khomasdal	Lushoto & Cassamba Street	40
Total			1021

During the 2022/2023 financial year, the Electricity Department plans to install **pre-paid meters** at the following **marketplaces** around Windhoek:

No	Market/Location	Description of needs
1.	Bonsmara Market Erf 8219 Windhoek, Northern industrial area	<ul style="list-style-type: none"> • Install pre-paid electricity meters in the eight (8) lockable stalls
2.	Windhoek Flea Market, Erf 6873 Mandume Ndemufayo Avenue	<ul style="list-style-type: none"> • Install pre-paid meters in the seven (7) lockable stalls.
3.	Herero Mall Clemens Kapuuo Street	<ul style="list-style-type: none"> • Provision for ± seventy (70) traders and for external lighting.
4.	Katutura Industrial Stalls, Erf 2127 Leonard Auala Street, Katutura	<ul style="list-style-type: none"> • Fifty-three (53) stalls need to be installed with pre-paid electricity meters and the conventional meters should be removed.
5.	Otjomuise Market Erf 153, Beijing Street, Otjomuise	<ul style="list-style-type: none"> • Install pre-paid meters in the thirty-one (31) lockable stalls.
6.	Pionierspark Market Ptn of Erf R/1301, David Hosea Meroro, Pionierspark	<ul style="list-style-type: none"> • Install pre-paid meters in the eight (8) lockable stalls.

During the months of **June and July 2022**, Councillors and I visited various Sister Local Authorities and Village Town Councils throughout Namibia. Various co-operation agreements were renewed with: Okaraka, Otjiwarango, Outjo, Omaruru, Khorixas, Walvis Bay and Swakopmund Oshakati, Ondangwa and Ongwediva, Outapi, Oshikuku, Lüderitz, Karasburg, and Berseba. The agreements focused on areas of co-operation in terms of technical skills exchange, solid waste management, water and waste management, HR Management & Staff Development, Promotion

Local Economic Development, Tourism Promotion, Finance and Administration, Transport, Property Management, sharing resources, knowledge exchange, and capacity-building. We have reiterated the need to streamline resources through strategic action planning and implementation to assist other local sisters.

Mayoral Engagements

As the Chairperson of Council, I am the principal head of Council and in consultation with Councillors, implement initiatives, programmes, policies and create conducive environments. Any achievements cannot only be looked at in isolation of the Mayor's achievements, but as a collective. As the Mayor, I am tasked to meet various stakeholders and liaise with international bodies, meet diplomats, businesses, financial organisations, to build meaningful relationships and partnerships for the Council's agenda in the broader context of development and making our people's lives easier through delivering services as mandated by the Act. I am also entrusted as a Mayor to guard and safe guard the interest of our residents and do so through constant engagements with official and community in creating conducive environments for both to strive. Amongst a few have been:

- Launching initiatives and campaigns (e.g. HIV/AIDS awareness, integrated risk awareness, solid waste management)
- Courtesy visits (50 courtesy visits)
- Residents' visits (individual complaints over 150 Hakahana residents, churches, schools, individuals);
- Annual traditional events (WIKa, international celebrations,)
- Signing of agreements of which Windhoek received a N\$37million grant from the EU for solid waste management - a flagship agreement in the history of Windhoek
- Donations to for social progression
- Agreements with UNDP for further development
- Mayoral cleanup campaigns
- Agreements signed with WVTC
- Strengthening relationships and Consultative Engagements with regional and central government, to liaise and consult on matters effecting residents.
- Urban agriculture project of Farm Okukuna

- **22 July 2022** – Council launched the Windhoek Integrated Community Education and Risk Awareness Campaign. The aim of the campaign is to create awareness and train local communities on how they can reduce community vulnerability to specific hazards and public safety issues that have the potential to cause emergencies or disasters. The campaign will focus mainly on fire prevention, floods, handling of chemicals, usage of candles, gas, and paraffin, health and hygiene promotion, environmental protection issues, and emergency communications.

Council Meeting Highlights

The following decisions amongst others were approved over the past 6 months:

- A memorandum of understanding for the establishment of the friendly city relationship between the Municipal Council of Windhoek and the City of Mannheim in Germany. The friendly co-operation is expected to strengthen the historic, economic, arts, and cultural ties between the two cities was signed on 1 April 2022
- Approval to electrify Havana Extension 1 and Okuryangava block erven 3216, 3192 and 3193. Furthermore, to ensure safe electricity provision, reduce electricity theft and improve revenue collection at the municipal markets, the traders at the following markets were approved to receive individual pre-paid electricity meters: Bonsmara Market (Northern Industrial Area), Windhoek Flea Market (Mandume Ndemufayo Avenue), Herero Mall (Clemens Kapuu Street), Katutura Industrial Stalls (Leonard Auala Street), Otjomuise Industrial Stalls (Beijing Street) and Pionierspark Market (David Hosea Meroro Street). The Department of Electricity successfully provided individual electricity connections to over 3,350 households since the start of the implementation of the electrification plan in 2018.
- **Council to accept a partial donation to conduct the pre-feasibility study of waste to energy from Smart City Sweden.**

In the past, Council invited local companies through a national bidding process for a consultancy for waste-to-energy feasibility studies. These efforts were unsuccessful twice, due to a lack of local experts. Council also attempted to have this done with the assistance of the Namibia University of Science and Technology

(NUST) without success. Smart City Sweden approached the City representatives at the Dubai Expo, as part of the Namibia Investment and Promotion Development Board's participation, and after discussions, presented a proposal to conduct a waste-to-energy pre-feasibility study in Windhoek. The work will be done by the Smart City Sweden Research Institute (IVL) with Smart City Sweden contributing 33% of the costs towards the study. The rest of the costs will be borne by the CoW Infrastructure, Water and Technical Services and Electricity Departments. The total cost of the consulting fees amounts to N\$4,1 million.

- **Application to lease a portion of Farm 306/B/31, Windhoek Town, and Townland (Old shooting Range) to establish a small arms training practice, competency testing centre**

Applications by interested parties to lease a portion of Farm 306/B/31 Windhoek Town and Townlands were not supported. Instead, the portion will be reserved to be used as a shooting range to train City Police members and other Council employees who use firearms in the course of their duty to be combat ready.

- **Approved donation of passenger bus to the Namibia Correctional Services (NCS)**

Council approved the donation of a passenger bus (capacity of approximately 60 passengers) to the Namibia Correctional Services (NCS).

- **Approved donation of vehicles to the Maltahöhe Village Council**

Council approved the donation of a Toyota Dyna truck and Ford Icon sedan vehicle to the Maltahöhe Village Council to assist in the carrying out of their daily operations. A team from the City of Windhoek visited Maltahöhe in October 2021, as part of an existing twinning agreement between the two local authorities. The Maltahöhe Village Council plans to use the truck for the removal of solid and/or household waste. The sedan vehicle will be used to transport Councillors and/or employees to official events as required. The donations are subject to ministerial approval in terms of Section 30(z)(i)(ii) of the Local Authorities Act (Act 23 of 1992) as amended.

Identified erven approved for the construction of two pilot, waste buy-back centres as part of the Improving Solid Waste Management in Windhoek initiative.

Two identified erven were approved for the construction of two temporary waste buy-back centres for a pilot project over two years funded by the European Commission as part of the Improving Solid Waste Management in Windhoek initiative under the Windhoek-Bremen co-operation. The erven are:

- Erf 10713 measuring $\pm 3000 \text{ m}^2$ in extent situated on the corner of Hans-Dietrich Genscher and Bondel Streets in Katutura, and;
- Erf 3451 measuring $\pm 5140 \text{ m}^2$ in extent situated along Frankfurt Street opposite the Mamadu kindergarten.

These erven were identified, because they are ideally located to service multiple suburbs and are connected via arterial roads for easy access to the centres.

The Improving Solid Waste Management in Windhoek initiative was identified as a focus area in the CoW's five-year strategic planning from 2022 to 2027. The initiative will focus on four key elements, namely:

- **Capacity building:** for senior City administration officials in waste minimisation, recycling and the re-use of waste, to improve basic services for underprivileged residents of Windhoek's informal settlements.
- **Circular Economy Incubator Programme** (waste reclamation and circular economy incubators): Six waste incubators will be identified and empowered for a period of 12 months through the payment of monthly stipends to the incubators. The programme will be established to enable young, unemployed residents to develop and test business models geared towards the goal of creating a waste-free city and increase prosperity within the local population.

- **Awareness raising:** School children will be targeted through environmental education activities to be developed together with community-based groups.
- **Construction of waste buy-back centres (recycling and sorting of waste):** Two waste buy-back centres will be built as part of a two-year pilot project. The waste recycling initiatives are intended to play an important role in implementing the CoW Solid Waste Management Reduction Strategy with the aim to encourage the collection, re-use, and recycling of waste materials. This will include the collection of recyclables from environmentally sensitive areas, including hotspots, taxi ranks, tourist areas, and public open spaces.

The non-refundable grant funding from the European Commission under the Windhoek-Bremen co-operation framework amounts to N\$36 million.

Last but not least,

The CEO's Appointment

Ladies and gentlemen, I am sure that we all appreciate the critical function of the Chief Executive Officer which serves as the administrative head and intermediary channel between the political and administrative structures of Council. Most importantly, the key role of the Chief Executive Officer is to ensure the implementation of Council Resolutions and expedite fast, efficient, and meaningful services to the residents of Windhoek.

Background: The Local Authority Council is the only body empowered with the authority to appoint the Chief Executive Officer in line with Section 27(1)(a). This power is enshrined in Section 31(dA) of the Local authorities Act read together with Regulation 31 of the Recruitment and Selection Regulations.

Unless Council has divested its or delegated its powers in which case, will be contrary to Section 31(dA) of the LA Act. Section 31(dA) prohibit the power of appointing the CEO from being delegated. Those powers must be exercised by the Council and not a committee of Council/and any other committee of Council. It is on this basis that the Recruitment and Selection Process is guided by the Regulations which refers to Local Authority Council before any other organ.

Section 27(1)(b) vests the power to employ all other staff members in the Management Committee. The recruitment process is outlined in the Recruitment and Selection Regulations.

On these premises therefore, the Regulation refers to the Local Authority Council as the first and final point of approval or disapproval.

And in case the power being delegated in terms of Section 31 then to the MC and or the CEO in that order and sequence of authority.

The Recruitment and Selection Regulation does not empower the MC to take decision on behalf of the Local authority Council especially where the powers cannot be delegated as stated above.

In the case of Councils Procedure that has been undertaken, we have observed the recommendations made by Management Committee as a report to Council according to the standing rules:

Section 22 (5) of the standing rules clearly stipulate 'I QUOTE' that the recommendations of management committee to council is a recommendation of a management committee and is considered as a proposal which has been seconded.

This is a contradiction of the Regulation 27(8)(*b*) of the Recruitment & Selection which requires MC to make its recommendation with specific reasons as to why they feel the process was not appropriate and now must be restarted as a result. Ex Faci (on the face of it) it is only logical that the decision to appoint or not to appoint vests in Council, thus by application the power to set aside any decision of the Interviewing Panel vests in Council and not in the Committee of Council (Management Committee).

Additionally, should the Management Committee contest the Interviewing Panel's decision, then we can rely on the provisions of Regulation 28 of the Recruitment and Selection Regulations, specifically Subsection 3. paragraph (g)

In the exodus to this matter the Power to appoint or not to appoint a CEO is vested in Council as per Section 27(1), read together with Regulation 31 of the Recruitment and Selection Regulation.

The Management Committee is only empowered to make recommendations to Council, not to accept the interview panel's recommendations and propose alternative options.

Thus, if the entire process must be nullified, then the Management Committee must make such recommendations, so that a decision is made by Council in line with Regulation 27(8)(b). The regulation empowers Management Committee to only make such recommendations and cite their reasons as espoused in their resolution which was provided to the ACEO. Those Management Committee Resolutions must be a recommendation of Management Committee, to Council which will be in line with Section 27(8) and specifically paragraph (b)

As the matter stands currently stands, the Management Committee is usurping powers which as a sub-committee, it does not have in law. Therefore, it could be overstepping its powers. Considering how far the recruitment process went, Management Committee cannot terminate the process without the approval of Council and cannot and will not enforce and bully Council. **The matter is before Council and until such time that Council pronounces itself, the Management Committee will not force the process to restart, and Council will ensure due diligence. All matters in front of Council will be dealt with in terms of principles of legality, rationality, reasonableness, and justifiability.** I hope that is clear enough.

Ladies and gentlemen, these were just a few of the high impact activities and resolutions completed and approved over the last 6 months. The next six months will be equally busy and focused on implementing as many resolutions as possible whilst finalising all outstanding and equally important matters. As Council Chairperson, I remain committed to facilitating and exploring all avenues to ensure that Council delivers on its mandate. Let us remain hopeful, committed, and resolute in accelerating service delivery to all our residents and stakeholders.

This concludes my statement for today. I thank you for listening and wish you a pleasant day further.