

VIRTUAL SPECIAL COUNCIL **MEETING MINUTES**



**MINUTES OF A SPECIAL COUNCIL MEETING OF THE
MUNICIPAL COUNCIL OF SWELLENDAM
MUNICIPALITY HELD VIRTUALLY ON WEDNESDAY, 20
MAY 2026 AT 08:15.**

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Yours sincerely

J. du T. Loubser

SPEAKER

DATE

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MINUTES OF A VIRTUAL SPECIAL COUNCIL MEETING OF THE MUNICIPAL COUNCIL OF SWELLENDAM MUNICIPALITY HELD ON WEDNESDAY, 20 MAY 2026 AT 08:15.

PRESENT:	Councillor	J. du T. Loubser H.F. du Rand A. Bokwana D. Julius E.J. Lamprecht F. Kees G. Libazi I.H. Ferguson M.T.A. Swart J.A. Matthyssen	Speaker
IN ATTENDANCE:		A. Vorster E. Wassermann J. Etzebeth	Municipal Manager Director Financial Services Manager: Administrative Support Services
SECRETARIAT:			
		K. Opperman A. Eksteen	
RECORDING OFFICER:			
		K. Opperman	

1. OPENING AND WELCOME

At 08:15, the Speaker, Alderman J. du T. Loubser welcomed everyone at the Council meeting and declared the meeting duly constituted with a quorum present.

The Speaker conducted a rollcall of all Councillors to confirm their presence.

Councillor F. Kees opened with prayer.

2. ELECTION OF ACTING SPEAKER, IF NECESSARY
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None

3. APPLICATION FOR LEAVE OF ABSENCE
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that leave of absence from the Special Council meeting held on Wednesday, 20 May 2026 be granted to Councillor D.J. Julius who experienced technical difficulties.

4. DISCLOSURE OF INTERESTS BY COUNCILLORS
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None

5. SPEECHES AND SUBMISSIONS

None

6. MATTERS FOR CONSIDERATION

6.1 Items submitted by officials of Council:

6.1.1

Item number A105. 20.05.2026

RECRUITMENT AND SELECTION PROCESS FOR THE POSITION OF DIRECTOR CORPORATE- & COMMUNITY SERVICES: REPLACEMENT OF PANEL MEMBER

Report of the Municipal Manager: A. Vorster

Department Corporate Services

Section Human Resources

File number 4/3/3/2

PURPOSE OF REPORT

To seek Council's approval for the replacement of a panel member on the selection panel for the appointment of the vacant position of Director Corporate and Committee Services.

FACTS AND BACKGROUND

Council resolved as follows per **Item A75/31/03/2026**:

UNANIMOUSLY RESOLVED

Item A75/31/03/2026

1. that Council approves the commencement of the recruitment and selection process of the Director Corporate- & Community Services position.
2. that Council approves the advertisement for the position of Director: Corporate- & Community Services as attached.
3. that the Selection Panel for the vacancy mentioned in (1) above as per the Regulations on the Appointment and Conditions of Employment of Senior Managers as promulgated in Government Gazette 37245 dated 17 January 2014, be appointed as follows:
Chairperson: Municipal Manager
Member: Corporate and Community Services Portfolio Committee Chairperson
Corporate and Community Services Specialist: Mrs V. Baardman, Overberg District Municipality.
4. that approval be granted that the Acting Municipal Manager will preside over the panel should the Municipal Manager not be available.

DISCUSSION

Section 12 of the Regulations on Appointment and Conditions of Employment of Senior Managers, GN.R 21 stipulates the compilation of the Selection Panel for the Section 56 vacancies as follows:

Selection panel

- 12.** (1) A municipal council must appoint a selection panel to make recommendations for the appointment of candidates to vacant senior manager posts.
- (2) In deciding who to appoint to a selection panel, the following considerations must inform the decision:
- (a) the nature of the post;
 - (b) the gender balance of the panel; and
 - (c) the skills, expertise, experience and availability of the persons to be involved.

(4) The selection panel for the appointment of a manager directly accountable to a municipal manager must consist of at least three and not more than five members, constituted as follows:

- (a) the municipal manager, who will be the chairperson;
- (b) a member of the mayoral committee or councillor who is the portfolio head of the relevant portfolio; and
- (c) at least one other person, who is not a councillor or a staff member of the municipality, and who has expertise or experience in the area of the advertised post.

The selection panel approved by Council per **Item A75/31/03/2026** was not in line with section 12(2)(b) in terms of gender balance, as all three (3) appointed members are female. It is therefore recommended that the Specialist from the Overberg District Municipality be replaced.

LEGAL IMPLICATIONS

1. Constitution of South Africa, 1996 (Act no 108 of 1996).
2. Section 55 of the Local Government: Municipal Systems Act, 2000 (Act 32 of 2000);
3. Local Government: Municipal Staff Regulations, 2021,
4. Employment Equity Act, **1998** (Act no **55 of 1998**);
5. Basic Conditions of Employment Act, 1997 (Act no 75 of 1997);
6. Labour Relations Act, 1995 (Act no 66 of 1995);
7. Minimum competency requirements for Senior Managers as laid down in Government Notice R493 dated 15 June 2007, as amended by Government Notice 1146 dated 26 October 2018
8. Regulations on the Appointment and Conditions of Employment of Senior Managers as promulgated in Government Gazette 37245 dated 17 January 2014
9. The Upper Limits of total remuneration packages payable to Municipal Managers and Managers directly accountable to Municipal Managers

FINANCIAL IMPLICATIONS

As per the Upper Limits of Total Remuneration Packages Payable to Municipal Managers and Managers Directly Accountable to Municipal Managers.

PERSONNEL IMPLICATIONS

As per discussion above.

COMMUNICATION IMPLICATION

None.

COMMENTS FROM DEPARTMENTS

Acting Director: Infrastructure- & Planning Services

None

Director: Financial Services

None

Municipal Manager

Report supported

RECOMMENDED

1. that Council Resolution A75/31/3/2026 be reaffirmed with the following amendment:
that the Director Community Services, Overberg District Municipality Mr Eben Phillips replace Ms V. Baardman, Overberg District Municipality as a member of the selection panel for the appointment of the vacant position of Director Corporate and Community Services.

DISCUSSION

The Executive Mayor, Councillor H.F. du Rand proposed that the recommendation be accepted as-is.

Proposer: Councillor H.F. du Rand

Seconder: Councillor F. Kees

Councillor J.A. Matthysen indicated that the PA had an issue, from the beginning of the process, with the way the process has been handled since the MEC did not respond to the municipality's request for approval of the organisational structure which was a legislative requirement. He added that the PA was not in favour of amending the macro structure from the start and as such could not support any recommendation in this regard.

Councillor Matthysen proposed that the position be declared vacant and that the process be followed to get applications to fill the position.

The Municipal Manager, Mrs A. Vorster shared that the position was already declared vacant and has already been advertised which was a transparent process and that all that needed to be done was to replace a panel member who would not be available to fill the position. She said that the administration wanted to proceed with the process and needed a Council decision to appoint another panel member. She added that it did not have to be the proposed person and that Council was welcome to propose another suitable person for the position.

Councillor M.T.A. indicated that the ANC was in support of the motion that the processes should be followed correctly as mentioned by Councillor Matthysen.

The Municipal Manager shared that the process was done legally and the organisational structure was approved by Council whereby the MEC had reasonable time to respond and provide inputs to the municipality's request, which did not happen and according to the law, Council may proceed with the process if the MEC did not provide any response within the prescribed time.

She added that the position was advertised in a nationally circulated newspaper as prescribed and was now with the consultant who formulated the long list for which the selection committee was needed.

The Speaker Alderman J. du T. Loubser said that everything was clear in terms of the process that was followed and that Council was in the process of appointing one member of the selection panel who needed to be replaced.

Councillor Swart said that she understood the process as explained by the Municipal Manager but would suggest that all relevant information be made available when Items are tabled going forward.

Councillor Swart indicated that the ANC was in support of the recommendation as-is.

Councillor J.A. Matthysen indicated that the PA would remain with its decision and requested that his opposing vote be recorded.

The Speaker Alderman, J. du T. Loubser confirmed that the recommendation was supported by the following Councillors: H.F. du Rand; E.J. Lamprecht; A. Bokwana; F. Kees; D. Julius; J. du T. Loubser; M.T.A. Swart; G. Libazi and I.H. Ferguson.

RESOLVED**Item A105/20/05/2026**

1. that Council Resolution A75/31/3/2026 be reaffirmed with the following amendment:
that the Director Community Services, Overberg District Municipality Mr Eben Phillips replace Ms V. Baardman, Overberg District Municipality as a member of the selection panel for the appointment of the vacant position of Director Corporate and Community Services.

Councillor J.A. Matthysen's opposing vote was recorded.

7. CLOSURE

The meeting adjourned at 08:30.