

**6.
APPOINTMENT OF VALUATION APPEAL BOARD**

5/2/3/1

SG Reyneke-Naudé
04 May 2021

Director: Finance

(028) 313 8040

1. Executive Summary

The purpose of this report is to obtain permission from Council to appoint the Valuation Appeal Board of Theewaterskloof Municipality to serve at Overstrand Municipality in the same capacity, as recommended by the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape. (See annexure A)

2. Service Delivery and Budget Implementation Plan - IGNITE

Directorate Finance
Department Revenue

3. Compliance with Strategic Priorities

Provision of democratic, accountable and ethical governance
Provision and maintenance of municipal services

4. Delegated Authority

None

5. Legal Requirements

Municipal Property Rates Act 6 of 2004

6. Background/Discussion/Evaluation/Conclusion

In terms of Section 56 of the Municipal Property Rates Act 6 of 2004 every municipality must have a Valuation Appeal Board which is appointed by the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape.

“The MEC for local government must, by notice in the Provincial Gazette, establish as many valuation appeal boards in the province as may be necessary, but not fewer than one in each metropolitan municipality.”

The term of a Valuation Appeal Board is four years as stated in Section 60 of the Municipal Property Rates Act 6 of 2004.

“The term of office of members of an appeal board is four years, but members are eligible to be re-appointed.”

The term of the board that served at Overstrand Municipality ended on 30 August 2020. The vacancies were advertised and five applications were received. Of the five applicants only one person resided in the Overstrand area.

The following applications were received (Annexure B):

W J Zybrands – Betty's Bay
G B Adams – Athlone
C A Nolte – Randburg
W T J Wilson – Pretoria
B J du Toit – Somerset West

Section 61(3) of the MPRA states that a municipality is responsible for the remuneration, including travel costs, of the members of the board.

“The municipality or municipalities for which an appeal board was established in terms of Section 56 must remunerate the members of the appeal board in accordance with their conditions of appointment and the directions of the MEC for local government.”

Although the advertisement for the Appeal Board Members did not specify that the board member's must reside within the Overstrand municipal area, it should be borne in mind that the members must visit the property and area which is referred for an appeal as part of their preparation in order to make an informed decision. In the case where members have to travel for the said inspections, it will also add to the preparation time that is taken into account in the remuneration of the members. Traveling costs and the cost for preparation time for members outside the Overstrand area could result in substantial expenses.

These concerns were mentioned to the Directorate Municipal Support and Capacity Building Department of Local Government, Western Cape Government. A recommendation was received from the Directorate Municipal Support and Capacity Building Department of Local Government, Western Cape Government to make use of the Valuation Appeal Board of a neighbouring municipality. The Valuation Appeal Board of Theewaterskloof Municipality all reside within the Overstrand area and have the necessary qualifications and experience. All the members of the Valuation Appeal Board of Theewaterskloof Municipality confirmed that, with the approval of Council and the Directorate Municipal Support and Capacity Building Department of Local Government, Western Cape Government, they will be willing to serve as the Valuation Appeal Board of Overstrand Municipality.

The Theewaterskloof Municipality's Valuation Appeal Board Members are as follows (Annexure C):

W J Zybrands – Betty's Bay (Chairman)
A van Zyl – Kleinmond (Additional member)
H O Wiggins – Hermanus (Valuer)

7. Financial Implications

The related expenses as regulated are provided for in the operational budget.

8. Staff Implications

None

9. Comments from other Departments, Divisions and Administrations

None

10. Annexures

Annexure A: List of Applicants

Annexure B: List of the Valuation Appeal Board of Theewaterskloof Municipality

Annexure C: Confirmation from the members of the Valuation Appeal Board members of Theewaterskloof Municipality available to serve on the Valuation Appeal Board of Overstrand Municipality.

RECOMMENDATION TO THE COUNCIL:

that Council accept and approve the recommendation of the Directorate Municipal Support and Capacity Building, Department of Local Government, Western Cape to enter into a joint venture where the Valuation Appeal Board of Theewaterskloof Municipality will also serve as the Valuation Appeal Board of Overstrand Municipality for a term of four years.

RESPONSIBLE OFFICIAL :

EM HOONEBERG

TARGET DATE FOR IMPLEMENTATION :

10 JUNE 2021

Application	Name of Applicant	ID nr	Age	Chairperson	Alternate chairperson	Member	Legal Qualifications	Professional Valuer	Valuations Background	Appealboard experience	Currently in OM Appealboard	Living In Overstrand
1	W J ZYBRANDS	4501295045085	75	X		X	X			X	ON PREVIOUS OM VAB	YES
2	G ADAMS	5307095088088	67			X		X			NO	NO
3	CA NOLTE	3805315031087	82	X			X	X	X	X	NO	NO
4	WTJ WILSON	9007165062080	30			X					NO	NO
5	B J DU TOIT	5412295124087	66			X	X		X		NO	NO

Nr	Name of Applicant	ID nr	Age	Chairperson	Member	Legal Qualifications	Professional Valuer	Valuations Background	Appealboard experience	Living in Overstrand
1	W J ZYBRANDS	4501295045085	76	X	X	X			X	YES
2	A VAN ZYL	6110260119087	59		X	X	X	X	X	YES
3	H O WIGGINS	6003195215080	61		X		X	X	X	YES

J Basson

From: Werner Zybrands <wernerzy@gmail.com>
Sent: Wednesday, 05 May 2021 15:41
To: J Basson
Subject: Re: PROPOSED JOINT VENTURE WITH REGARD TO THE VALUATION APPEAL BOARD OF THEEWATERSKLOOF MUNICIPALITY AND OVERSTRAND MUNICIPALITY

Dear Ms Basson

As the current chairperson of the Theewaterskloof Valuation Appeal Board, it will be a privilege to serve in a similar capacity on the Overstrand Valuation Appeal Board.

I hereby confirm that, if appointed, I will accept such an appointment especially as I have served as a member thereof since September 2012.

Kind regards

Werner Zybrands
083 631 0667
wernerzy@gmail.com

On 2021/05/05 3:25 pm, J Basson wrote:

Dear Mr. Zybrands

Overstrand Municipality is in the process of appointing a new Valuation Appeal Board.

After consultation with the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape we were informed that we may enter into a joint venture with a neighbouring municipality with regard to the existing Valuation Appeal Board of said municipality. The purpose of the joint venture entails that after the necessary permissions were obtained and all procedures were completed, the existing Valuation Appeal Board of a specific neighbouring municipality will then also serve in the same capacity at Overstrand Municipality.

Following the above, we would like to enquire whether you, as a member of the existing Valuation Appeal Board of Theewaterskloof Municipality, will be prepared to serve in the same capacity on the Valuation Appeal Board of Overstrand Municipality.

We urgently await your feedback in this regard.

Yours faithfully

Johette Basson
Administratiewe Assistent: Waardasies / Administrative Officer: Valuation
Overstrand Munisipaliteit / Municipality
T: +27 (0) 28 313 8133 | F: +27 (0) 28 313 8048
E: johette@overstrand.gov.za

A van²⁹ Zyl

2/5

J Basson

From: Anneli Van Zyl <annelivanzyl@lantic.net>
Sent: Wednesday, 05 May 2021 16:00
To: J Basson
Subject: Re: PROPOSED JOINT VENTURE WITH REGARD TO THE VALUATION APPEAL BOARD OF THEEWATERSKLOOF MUNICIPALITY AND OVERSTRAND MUNICIPALITY
Attachments: ANNELI VAN ZYL CV.pdf; A VAN ZYL CERTIFIED COPY OF ID.pdf; ANNELI VAN ZYL DEGREES AND PROFESSIONAL QUALIFICATIONS.pdf; DECLARATION OF ELIGIBILITY.pdf

Dear Ms Basson

I shall be pleased to serve as a member of the Valuation Appeal Board of the Overstrand Municipality.

Kindly find attached the following annexures:

1. CV (shortened)
2. Certified copy of ID
2. Degrees and Professional Qualifications
3. Declaration of Eligibility

Kind regards / Beste groete
Anneli van Zyl
084 700 1064



From: [J Basson](#)
Sent: Wednesday, May 05, 2021 3:23 PM
To: [Anneli Van Zyl](#)
Subject: PROPOSED JOINT VENTURE WITH REGARD TO THE VALUATION APPEAL BOARD OF THEEWATERSKLOOF MUNICIPALITY AND OVERSTRAND MUNICIPALITY

Dear Ms Van Zyl

Overstrand Municipality is in the process of appointing a new Valuation Appeal Board.

After consultation with the Minister of Local Government, Environmental Affairs and Development Planning, Western Cape we were informed that we may enter into a joint venture with a neighbouring municipality with regard to the existing Valuation Appeal Board of said municipality. The purpose of the joint venture entails that after the necessary permissions were obtained and all procedures were completed, the existing Valuation Appeal Board of a specific neighbouring municipality will then also serve in the same capacity at Overstrand Municipality.

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Yours faithfully

Johette Basson

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Overstrand Munisipaliteit / Municipality
T: +27 (0) 28 313 8133 | F: +27 (0) 28 313 8048
E: jbasson@overstrand.gov.za

Overstrand Municipality

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J Basson

From: Henry Wiggins <hw@hermanus.co.za>
Sent: Wednesday, 05 May 2021 16:04
To: J Basson; henrywiggins@hermanus.co.za
Cc: hw@hermanus.co.za
Subject: RE: PROPOSED JOINT VENTURE WITH REGARD TO THE VALUATION APPEAL BOARD OF THEEWATERSKLOOF MUNICIPALITY AND OVERSTRAND MUNICIPALITY

Dear Mrs Basson

Yes, I am be prepared to serve in the same capacity on the Valuation Appeal Board of Overstrand Municipality as suggested below.

Yours Sincerely

Henry Wiggins

Henry Wiggins Property Valuers
3 Mosselriver Drive
Hermanus
7200
Tel. 028 3121 359
Cell. 083 495 1788

From: J Basson [mailto:jbasson@overstrand.gov.za]
Sent: Wednesday, 05 May 2021 15:25
To: henrywiggins@hermanus.co.za
Cc: hw@hermanus.co.za
Subject: FW: PROPOSED JOINT VENTURE WITH REGARD TO THE VALUATION APPEAL BOARD OF THEEWATERSKLOOF MUNICIPALITY AND OVERSTRAND MUNICIPALITY

Dear Mr. Wiggins

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Yours faithfully

Johette Basson

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