

# DEVELOPMENT POTENTIAL REPORT: PORTION 107 OF THE FARM WATERVAL, 150-IR



**DATE: 8 JULY 2019**

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**TABLE OF CONTENTS:**

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1. INTRODUCTION & BRIEF ..... 1

2. REGIONAL & LOCAL CONTEXT ..... 1

3. PROPERTY REGISTRATION DETAILS & SURVEYOR GENERAL DATA ..... 3

4. EXISTING ZONING ..... 5

5. APPLICABLE TOWN PLANNING POLICIES ..... 7

6. RECOMMENDATIONS & WAY FORWARD ..... 10

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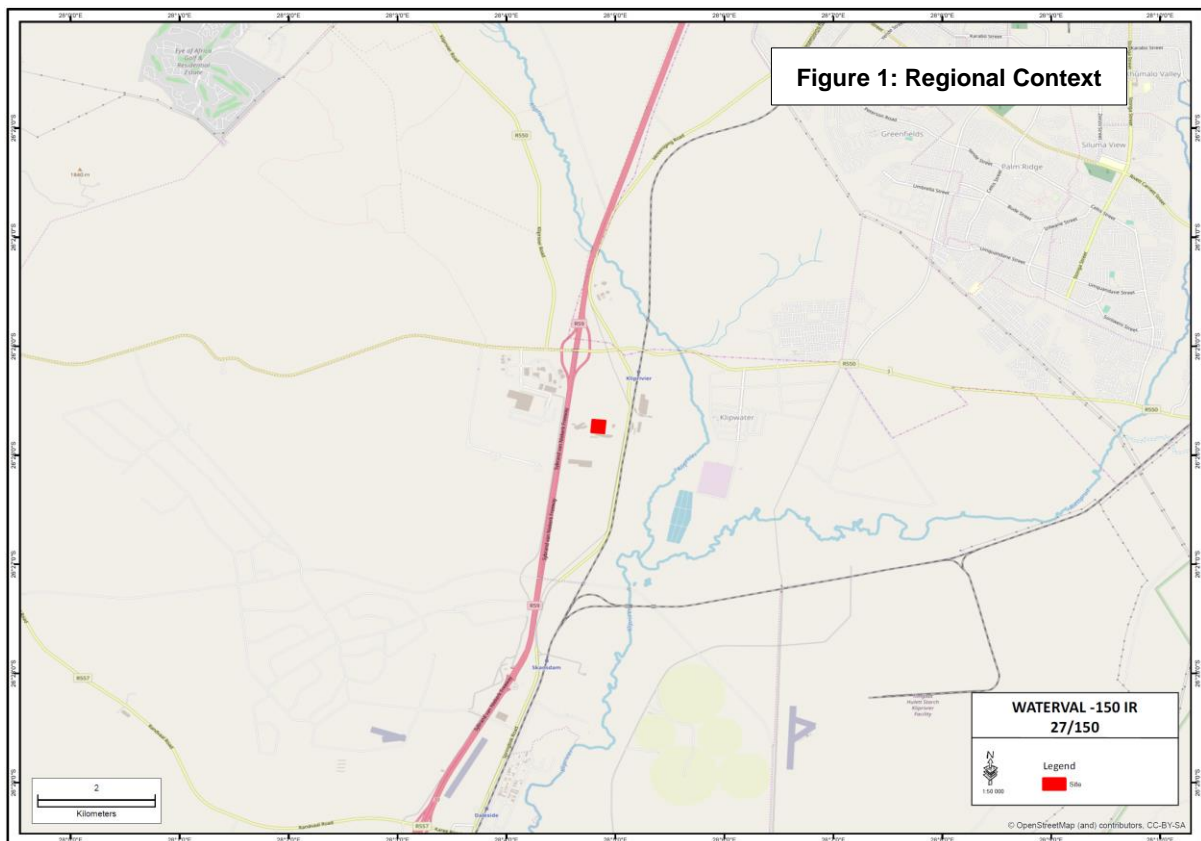
## 1. INTRODUCTION & BRIEF

**MyZoning** was commissioned by **Mr Dave Hayward of Hayward Holdings Properties** to compile a **Development Potential Report** by a Professional Planner, from a pre-approved panel of Town Planners, in order to interpret existing or proposed land uses against the subject property's proclaimed zoning.

The purpose of this Property Development Potential Report is to provide an overview, as basis for further detailed investigations and discussions with the controlling authorities, regarding the property's current land use rights/zoning, earmarked land uses in terms of the planning policies for the specific area as well as to provide recommendations to realise the future development potential of the property.

## 2. REGIONAL & LOCAL CONTEXT

On a regional scale, Portion 150 of the farm Waterval 150-IR is located in Midvaal Local Municipality, approximately 1,3 km south of the Klipriver Road offramp on the R59 highway, 15 km to the north of the Meyerton CBD and 18 km south of the Alberton CBD.





On a local level, the property is situated in the vicinity of the Klipriver Business Park, to the east of the Heineken Brewery and R59 highway and to the south-west of Klipriver commuter railway station and the Everite factory.

Considering the property's local context, the property is accessible via a paved access road to the Crystal Park complex which is situated at 25 Waterval Road, Klipriver.

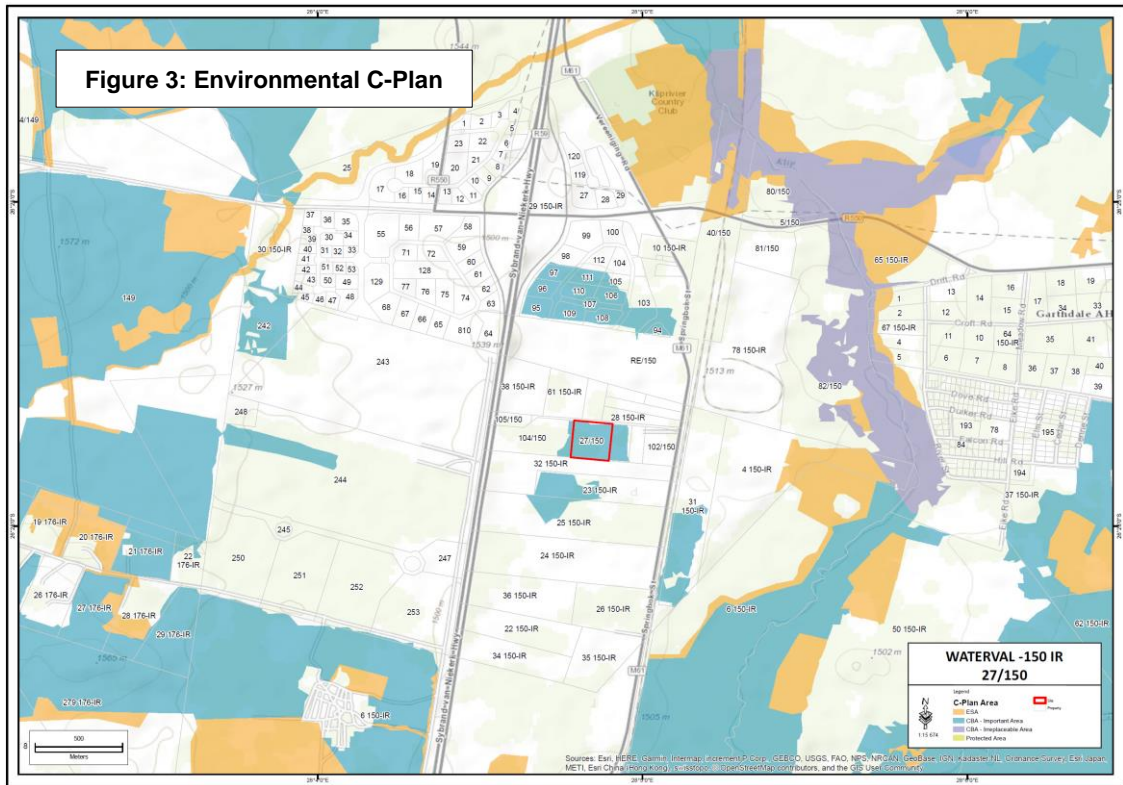
The property is surrounded by a diverse range of existing industrial uses such as Rocklite Bricks, Revive Electrical Transformers, Lynx 4x4 Accessories and Kwikspace Modular Buildings.

The aerial photograph indicates the location of the property in relation to the R59 Corridor and accessibility to the R59 freeway via Waterval Road and Klipriver Road.

From an environmental perspective, the so-called provincial C-Plan which provides a uniform environmental sensitivity index, indicates the site as being "*Important*" from an ecological perspective. This is however probably due to the fact that the site itself has remained undisturbed and could simply be an indication that it is still covered with natural vegetation (grassland).

The site is however not impacted by wetlands or river courses and does not form part of any designated terrestrial conservation area. Its development under an "Industrial

1” zoning will require normal compliance with and authorization under the listed activities of the National Environmental Management Act (NEMA).

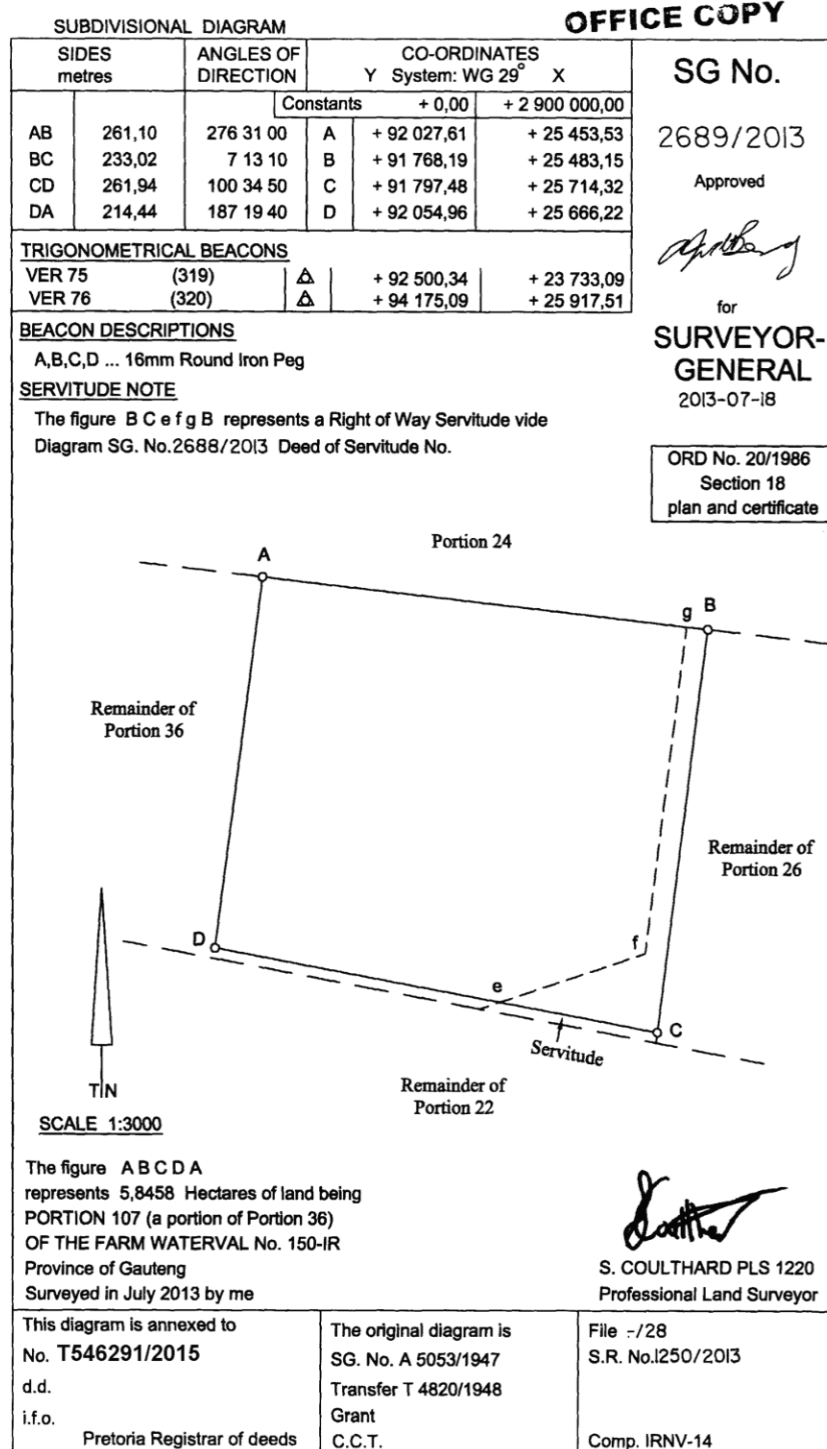


### 3. PROPERTY REGISTRATION DETAILS & SURVEYOR GENERAL DATA

This section provides a summary of the property’s registration details and Surveyor-General’s cadastral information:

|                              |   |
|------------------------------|---|
| <b>Property Description:</b> | Portion 107 (a portion of Portion 36) of the Farm Waterval, 150, Registration Division IR, Gauteng Province   |
| <b>Registered Owner:</b>     | Foresta Timber & Board Pty Ltd  |
| <b>Deed of Transfer No.:</b> | T 56291/2015  |
| <b>Bond Information:</b>     | None  |
| <b>Registered Area:</b>      | 5,8458 Ha   |
| <b>SG Diagram No.:</b>       | SG No. A.2689/2013  |
| <b>Servitudes:</b>           | The property is subject to a Right of Way servitude for access purposes in favour of the adjoining Remainder of Portion 22 of the Farm Waterval 150 IR.<br>This ROW servitude is indicated on the SG diagram (reference BCefgB) but not endorsed on the Title Deed. |
| <b>Title Restrictions</b>    | No restrictive title conditions are endorsed on the property Title.   |

Figure 4: SG Diagram



#### 4. EXISTING ZONING

The table below summarises the subject property's existing land use rights/zoning in terms of the Midvaal Town Planning Scheme, 2014:

| Midvaal Town Planning Scheme, 2014:                      |   |
|--|---|
| <b>Property Description:</b>                             | <b>Portion 107 of the farm Waterval 150-IR</b>  |
| <b>Existing Zoning:</b>                                  | <b>“Industrial 1”</b>   |
| <b>Primary/Permitted land uses:</b>                      | <b>Industries (excluding noxious industries), public garages, places of refreshment for own employees only and warehouse.</b>   |
| <b>Land Use Definitions as per Town Planning Scheme:</b> | <p>“<b>Industry</b>” Means the use of a building/s and/or land or part thereof as a factory and in which an article or part of such article is made, manufactured, produced, built, assembled, compiled, printed, ornamented, processed, treated, adapted, repaired, renovated, rebuilt, altered, painted (including spray painting), polished, finished, cleaned, dyed, washed, broken up, disassembled, sorted, packed, chilled, frozen or stored in cold storage; including offices, caretaker’s quarters or other uses which are subservient and ancillary to the use of the property as a factory; and includes a warehouse, the generation of electricity; the developing or processing of photographs, films or tapes; refuse disposal sites; recycling and abattoir but does not include a noxious trade or risk activity.</p> <p>“<b>Public Garage</b>” means land and buildings which, for the purpose of profit, is used for the maintenance, repair or fueling of motor vehicles and associated purposes, excluding panel-beating and spray-painting, and may include any one or more of the following uses: - Parking, or storage of motor vehicles, the sale of spare parts, accessories, fuels and lubricants for motor vehicles as well as the sale of new or used motor vehicles. A public garage may include a shop and/or place of refreshment not exceeding 250m<sup>2</sup> floor area including storage, a vehicle rental after obtaining consent from the municipality. If any other condition is stipulated by any other approving authority, the most prohibitive condition shall prevail.</p> <p>“<b>Place of Refreshment</b>” includes a confectionary, restaurant, fish fryer, drive-thru-restaurant, tearoom or coffee-shop and means a building which is not a hotel, residential club, drive-in restaurant, or boarding house, but which is designed and used for the preparation or the retail sale of meals, refreshments, as well as the retail sale of fresh produce, mineral waters, tobacco, reading material and sweets.</p> <p>“<b>Warehouse</b>” means a building or use of land for the exclusive purpose of storage of goods, which in the opinion of the municipality are not dangerous, noxious or unsightly, and includes wholesale trade, and may also include ancillary office accommodation which is subsidiary to the main use but excludes any retail trade on the property of such building, unless the consent of the municipality has been obtained, and may include the use of containers as storage.</p> <p>Not allowed:</p> <p>“<b>Noxious Trade or Use</b>” or “<b>Noxious Industry</b>” means an industry or trade which involves a risk activity or which is hazardous, dangerous or troublesome to the broad public in the municipality’s opinion, or which has a disturbing effect on the environment, whether it is due to smell, smoke, noise, flow-off, dust or solid waste.</p> <p>Provided that -</p> <p>(a) when a certificate, issued by the health compliance officer of the municipality in consultation with the Inspector of Factories, is produced, declaring that the process intended to be used in connection with industrial activities or factories will eliminate all nuisances or threats to the health in the neighbourhood due to:</p> <p style="margin-left: 40px;">(i) vapour or effluvia:</p> <p style="margin-left: 80px;">(ii) fluids or liquid wastes originating from the property if it is the intention to purify the wastes according to the soil treatment method, the piece of land and its position in relation to streams or water courses must be mentioned; and</p> <p style="margin-left: 80px;">(iii) solid waste material,</p> <p style="margin-left: 40px;">the municipality may consent to the erection of such a building in Industrial Zones 1 and 2 only.</p> |

|  |   |
|--|---|
| <b>Secondary uses (Only with Special Consent from Municipality);</b> | Adult Entertainment Business, Brick Yard, Drive-Thru-Restaurant, Fuel Depot, Informal Trading Place, Landing Area, Utility Service  |
| <b>Secondary uses (Written Consent);</b>                             | Creche, Dwelling Unit, Funeral Parlour, Gymnasium, Place of Refreshment, Private Club, Private Open Space, Public Open Space, Service Enterprise  |
| <b>Floor Area Ratio:</b>   | <b>1,5</b>  |
| <b>Coverage:</b>   | <b>75%</b>  |
| <b>Height:</b>   | <b>3 Storeys</b>  |
| <b>Building lines:</b>   | <b>Street boundary: 6 m<br/>Side and Rear boundaries: 2 m</b>   |
| <b>Parking:</b>  | <p><b>Industries</b></p> <ul style="list-style-type: none"> <li>• 1 space per 100m<sup>2</sup> floor area and 3 spaces per 100m<sup>2</sup> office floor area</li> <li>• Loading Spaces – 2 spaces per first 1000m<sup>2</sup> and 1 space for every 1000m<sup>2</sup> thereafter</li> </ul> <p><b>Warehousing</b></p> <ul style="list-style-type: none"> <li>• 1 space per 100m<sup>2</sup> floor area and 3 spaces per 100m<sup>2</sup> office floor area</li> <li>• Loading Spaces – 2 spaces per first 1000m<sup>2</sup> and 1 space for every 1000m<sup>2</sup> thereafter</li> </ul> <p><b>Public Garage</b></p> <ul style="list-style-type: none"> <li>• 4 spaces per 100m<sup>2</sup> floor area</li> <li>• Loading Spaces – sufficient dedicated on-site loading and delivery space to the satisfaction of the municipality</li> </ul> |

It is recorded that this property was subdivided from Portion 36 Waterval 150 IR in 2013. Prior to the Midvaal Town Planning Scheme coming into operation in 2014, the zoning of the Portion 36 was identical, save for some of the development controls. A table summarizing the differences are as follows:

|  | <b>Midvaal TPS, 2014:</b>  | <b>Randvaal TPS, 1994</b>                                   |
|--|--|---|
| <b>Property Description:</b>   | <b>Portion 107 Waterval 150-IR</b>   | <b>Portion 36 Waterval 150-IR</b>                           |
| <b>Existing Zoning:</b>  | <b><i>"Industrial 1"</i></b>   | Same  |
| <b>Primary/Permitted land uses:</b>                                  | <b>Industries (excluding noxious industries), public garages, places of refreshment for own employees only and warehouse.</b>                    | Same  |
| <b>Secondary uses (Only with Special Consent from Municipality);</b> | Adult Entertainment Business, Brick Yard, Drive-Thru-Restaurant, Fuel Depot, Informal Trading Place, Landing Area, Utility Service               | None  |
| <b>Secondary uses (Written Consent);</b>                             | Creche, Dwelling Unit, Funeral Parlour, Gymnasium, Place of Refreshment, Private Club, Private Open Space, Public Open Space, Service Enterprise | None  |
| <b>Floor Area Ratio:</b>   | <b>1,5</b>   | <b>1.2</b>  |
| <b>Coverage:</b>   | <b>75%</b>   | <b>80% for Ground Floor<br/>60% for floors above ground</b> |
| <b>Height:</b>   | <b>3 Storeys</b>   | Same  |
| <b>Building lines:</b>   | <b>Street boundary: 6 m<br/>Side and Rear boundaries: 2 m</b>  | <b>30m for double story buildings<br/>Side and Rear 5m</b>  |



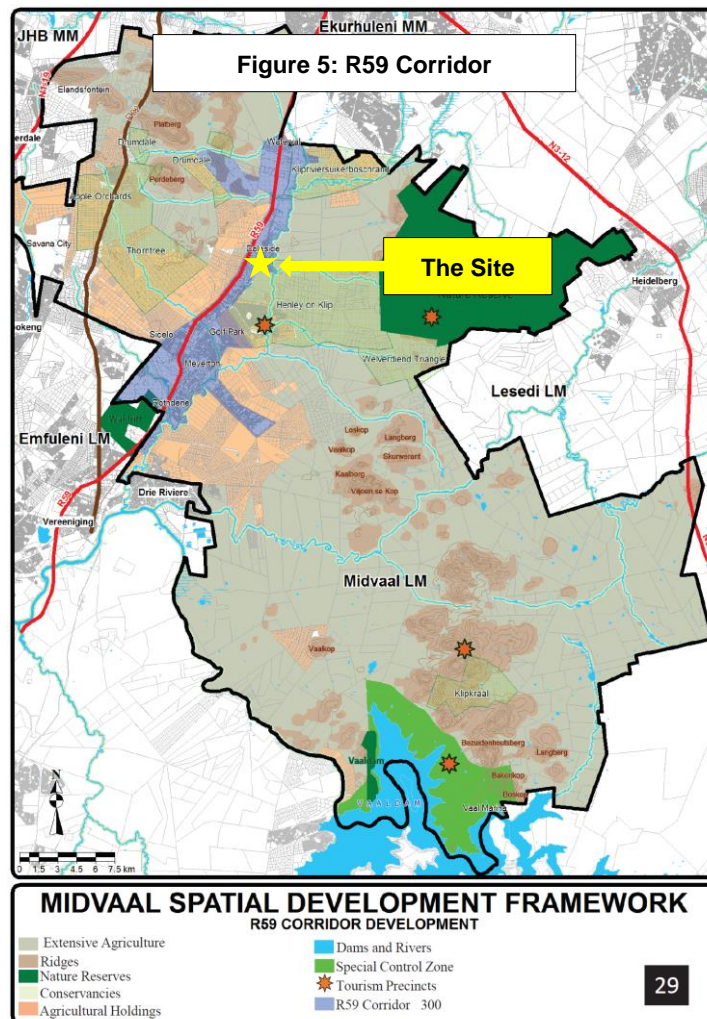
|          |  |
|----------|--|
| Parking: | <ul style="list-style-type: none"> <li>• 1 space per 100m<sup>2</sup> floor area</li> <li>• 2 spaces per 100m<sup>2</sup> offices and commercial floor area</li> </ul> |
|----------|--|

Although the impact in this instance is minor, the legal principle in zoning conversion between land use management schemes is that rights cannot be taken away. Should the property be developed and it requires 80% coverage as opposed to 75% or 2 parking spaces for office and commercial space instead of 3 parking bays, such a deviation from the latest zoning certificate under the Midvaal TPS 2014 will likely succeed.

## 5. APPLICABLE TOWN PLANNING POLICIES AND EARMARKED LAND USES

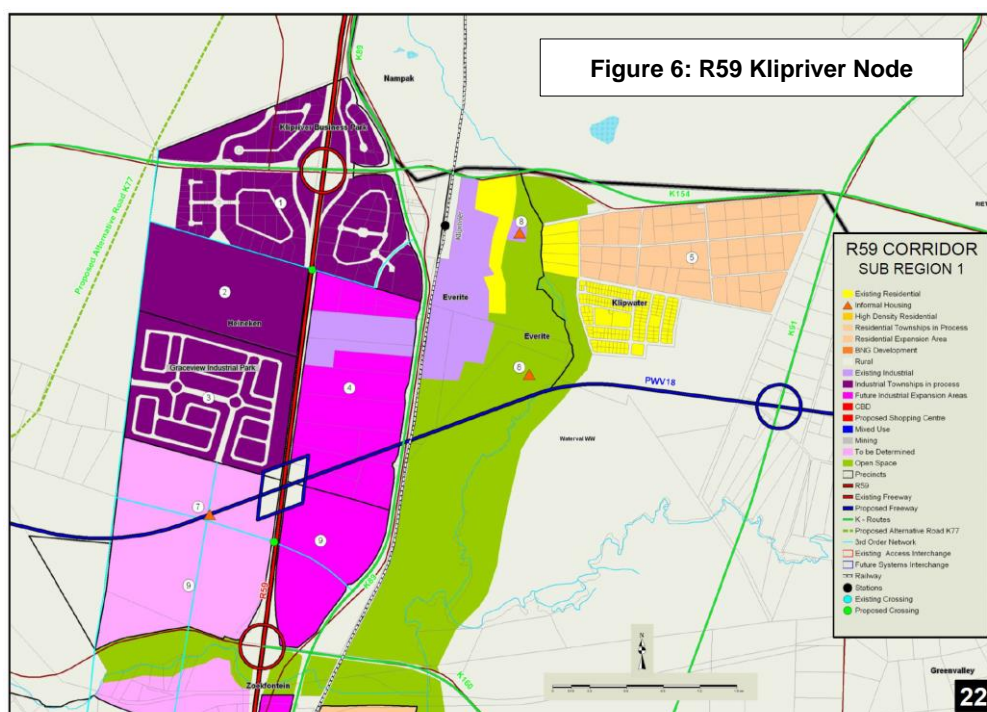
According to the **Midvaal Local Municipality Spatial Development Framework, 2016** the subject property is situated within the R59 Corridor.

The Midvaal Local Municipality conducted extensive studies related to this corridor and approved the R59 Corridor Development Framework in July 2010. Following this, a detailed R59 Corridor Urban Design Framework was developed and adopted in July 2014.



This economic development corridor supports a variety of light industrial and commercial uses occurring in the area east of the R59. These properties have the advantage of dual road frontage, with some being highly visibility from the R59 while access is obtained from the K89. These developments occur on smaller farm portions such as the property in question. There are however very limited and, in some instances, no municipal service delivery in this area, with water being obtained from boreholes or directly from Rand Water, septic tanks or French drains are used for sanitation and Eskom supplies electricity to Midvaal.

The prominence and attractiveness of the norther portion of the R59 Corridor was boosted by the development of the Heineken Brewery and the proclamation and development of the first phases of the Klipriver Business Park and Graceview to the north and west of the site.



The priority of the Midvaal Local Municipality remains to promote development of the Klipriver / Nampak / Everite Node. This node is situated at the gateway to the R59 Corridor (from the north) and poses considerable development potential in terms of its locality relative to the Johannesburg/Ekurhuleni complex.

The development of this node served to launch the R59 development corridor and the successful completion of the three projects currently underway in this area (Heineken, Graceview (south of Heineken) and Klipriver Business Park) was critical towards setting the standard, nature and character of the developing node in terms of future developments along the corridor. These projects were considered flagship pilot projects towards the launching of the R59 Corridor initiative. Hand in hand with this initiative goes the facilitation of the residential developments to the west of the Klipriver node.

In terms of the spatial planning policies of the area, the site in question can readily be developed for light industrial or alternatively warehousing purposes. The only limitation is with regards to noxious industries which are broadly defined as industries producing hazardous waste which can be harmful to the health of surrounding communities (refer to definition in Section 4).

One additional interesting local factor is the fact that there is an existing Sasol Gas transmission line located within 200m to the north of the site which feeds the Everite take-off point located approximately 600m from the site (to the north-east). This is indicated on the following diagram:



While it is noted that there is no distribution network in the R59 Klipriver Node, there was some discussions about the possibility of local gas supply from the Everite take-off station. The availability of such a unique service holds potential for a range of alternative industrial and commercial applications and may be worthwhile investigating further as there are very few industrial areas in South Africa offering access to piped natural gas.

## 6. RECOMMENDATION & WAY FORWARD

This Development Potential Report provided an overview of the property's current land use rights/zoning and earmarked land uses in terms of the local authority's current Town Planning policy for the specific area. The Report should be used as reference for further detailed investigations and discussions with the professional project team/specialists and controlling authorities.

The potential land uses under the site's proclaimed "**Industrial 1**" zoning being "**Industries (excluding noxious industries), public garages, places of refreshment for own employees only and warehouse**" holds potential for its development for a range of light industrial, distribution, warehousing and service industrial uses.

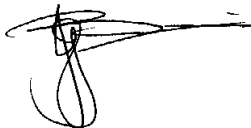
Although the site is located in a designated economic development corridor and a designated industrial / commercial node where a number of prominent industrialists invested (such as Heineken, Everite, Nampak, etc), there is generally a lack of municipal services infrastructure in Midvaal and many properties with comparable proclaimed zoning rights.

Any further queries in respect of this Development Potential Report should be directed to:

[www.myzoning.co.za](http://www.myzoning.co.za)

[info@myzoning.co.za](mailto:info@myzoning.co.za)

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