

# WESTERN CAPE PROVINCIAL SPATIAL DEVELOPMENT FRAMEWORK

## Rural Land Use Planning & Management Guidelines



May 2009

## ACKNOWLEDGEMENTS

In preparing these rural guidelines we are appreciative of the overwhelming support we received from the client and members of the Steering Committee. The initiative was started by the Western Cape Department of Environmental Affairs and Development Planning (DEA&DP), and their Willem Smith effectively managed what turned out to be a complex process. Throughout he was enthusiastically assisted by his DEA&DP colleagues of Rudi Ellis, Anthony Barnes, Chris Rabie, Zaahir Toefy, Francois Theunissen, Marek Kedzieja, Lambert de Klerk, Neil Lambrechts, and Melissa Naicker.

At an early stage the South African Local Government Association (SALGA) became active partners, and helped conduct a survey of all Western Cape municipalities on their rural land use planning and management issues. This input of 'on the ground' issues faced by municipalities in dealing with their rural areas proved most informative.

DEA&DP's partners on the Steering Committee who actively participated in, and contributed to, the formulation of the rural guidelines were SALGA, CapeNature, Department of Water Affairs and Forestry, Department of Agriculture, Department of Land Affairs, Department of Economic Development and Tourism, and Agriculture Western Cape. Special mention must be made of the Department of Agriculture's Jan Smit who, as part of the Technical Advisory Group set-up to work out details of the guidelines, spent days with the client and consultants deliberating on complex rural development issues.

The rural guidelines process was enriched by the active involvement and support of the team driving the initiative to mainstream biodiversity considerations into the Western Cape land use planning system. Special mention must be made of team members Jeff Manuel, Sam Ralston and Deborah Vromans, supported by SANParks' Dr Stephen Holness, who provided detailed comments and useful suggestions on drafts 1 and 2 of the guidelines.

We also wish to thank Prof Dave Dewar, Dr Nicolas Baumann and Piet Louw for sharing their rural insights with us.

Assisted by all these parties, this third draft of the guidelines puts forward a coherent approach to planning and managing the Western Cape's unique rural areas. As a next step it is important that interested and affected parties be given opportunity to comment on, and contribute to, the proposed approach. On this basis a credible basis for rural land use planning and management in the Western Cape can be built.

Preparing these rural guidelines has been a team effort, and for all contributions we are grateful.

### **iKapa Enviroplan**

#### *Setplan Team:*

Rodney Cronwright  
Neville van der Westhuizen  
Tadesse Haile

#### *DJ Environmental Consultants Team:*

Dudley Janeke  
Tali Bruk

Contact details for report enquiries:

[rod@setplan.com](mailto:rod@setplan.com)

Ph: +27 21 7900067

Fax: +27 21 7908206

## EXECUTIVE SUMMARY

### Objectives of Rural Guidelines

Faced with escalating development pressures on the Western Cape's unique rural areas, the provincial government has taken the initiative to provide guidance to its social partners on land use planning and management outside the urban edge (i.e. in rural areas). Forming part of the roll-out of the Provincial Spatial Development Framework (PSDF), their objectives in introducing rural land use planning and management guidelines are:

- To promote sustainable development in appropriate rural locations throughout the Western Cape, and ensure that the poor share in the growth of the rural economy.
- To safeguard the functionality of the province's life supporting ecosystem services (i.e. environmental goods and services).
- To maintain the integrity, authenticity and accessibility of the Western Cape's significant farming, ecological, cultural and scenic rural landscapes, and natural resources.
- To assist Western Cape municipalities to plan and manage their rural areas more effectively.
- To provide clarity to the provincial government's social partners on what kind of development is appropriate beyond the urban edge, suitable locations where it could take place, and the desirable form and scale of such development.

### The Rural Context

History reflects the inextricable links between the Western Cape's rural areas and its human settlements. With an overall urbanisation rate of some 90%, the Western Cape's Provincial Growth and Development Strategy (PG&DS) emphasises the uniqueness of the Western Cape's current settlement patterns. The PSDF highlights that dormitory settlements have now become the dominant pattern in the Western Cape, and that current settlement dynamics are not sustainable. Rural settlement patterns in the Western Cape comprise:

- the farm homestead and associated outbuildings, usually clustered together and historically enclosed in the farm 'werf';
- on-farm workers accommodation in the form of labourers cottages and some single sex hostels, usually located away from the farm 'werf', with recent trends showing the conversion of labourers cottages into visitor accommodation;

- off-farm hamlets and villages located along the main movement routes;
- recent patterns of rural residential sprawl, mainly on the outskirts of urban centres, associated with new low density property developments; and
- a growing incidence of the conversion of working farms into weekend leisure destinations where the veld is often restored to a natural state and dispersed leisure accommodation is developed.

The Western Cape's varied and unique rural landscapes are under threat and warrant greater protection. The significance of rural areas to the province derives from the fact that they are:

- the location of life-supporting natural systems (i.e. eco-system services);
- the base of agriculture which still underpins the Western Cape's economy, especially in rural areas, and provides food security, sustains rural livelihoods and draws income into the province;
- the location of globally significant and diverse habitats of rare and endangered biodiversity;
- authentic rural landscapes of scenic, cultural and natural splendour that underpin the Western Cape's attraction as a world class tourism destination; and
- the location of diverse outdoor recreational and leisure activities for residents of and visitors to the Western Cape.

### Rural Concerns

Current rural development patterns in the Western Cape are of serious concern to the provincial authorities for the following reasons:

- The cumulative impact of piece-meal development in different municipal jurisdictions is fragmenting the Western Cape's rural landscapes and eroding its natural resource base. It is incumbent on the provincial authority to ensure that its rural asset base is developed on a sustainable basis with due consideration to alleviating poverty, promoting food security, facilitating land reform, and mitigating against the impacts of climate change.
- With the roll-out of the Western Cape's urban edge policy, developers are turning their attention to the rural areas. In the

absence of a coherent provincial policy on how these development pressures should be managed, there are growing incidences of rural residential sprawl. Some forms of rural development are distorting the Western Cape's settlement structure, undermining the authenticity of rural landscapes as prime tourist attractions, gentrifying the countryside and marginalising the rural poor, and contributing to an overall decline in public access to rural resources.

- Given a limited rural revenue base and staff shortages, municipalities lack capacity to plan for and manage their rural areas. As a result rural areas have been generally neglected in municipal Integrated Development Plans (IDPs) and Spatial Development Frameworks (SDFs). Municipal efforts at managing their rural areas are complicated by the overlapping jurisdiction of diverse statutory authorities. Current efforts at cooperative governance of rural areas are not proving effective.

### **Legislative and Policy Framework**

The rural guidelines give effect to Section 24 (b)(iii) of the Constitution's Bill of Rights which obligates government to take measures that "secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development". Given the plethora of laws and policies impacting on rural areas, the rural domain is particularly complex to plan and manage as it is characterized by overlapping jurisdictions of different spheres of government.

### **Guiding Principles**

Isidima's guiding principles underpin the Western Cape's rural guidelines. These are:

- *Sense of justice:*
  - Meeting fundamental needs of rural communities, especially the poor
  - Restitution and redistribution of land and natural resources
  - Rights-based democratic governance
  - Participatory rural planning processes
- *Sense of limits:*
  - Incremental gains over time, working with what is available
  - Transition to renewable energy alternatives and energy efficiency
  - Zero waste via reuse of waste outputs as productive inputs

- Connectivity along rural movement corridors, towards viable public transport
- Sustainable construction materials and building methods
- Sustainable use of water and other natural resources
- *Sense of place:*
  - Response to landscape context
  - Sensitivity to spiritual qualities of rural areas
  - Respect of rural settlement form
  - Integrated and safe rural communities
- *Sense of history:*
  - Valuing cultural diversity and rural community
  - Sensitivity to cultural landscapes
  - Response to rural settlement patterns and built vernacular
- *Sense of craft:*
  - Growing and broadening the rural economy, greater equity and fair trade
  - Farming security and sustainable food supplies
  - Adding value to agricultural products
  - Strengthening rural tourism (agri and nature based)
  - Rural livelihood skills development
- *Sense of nature:*
  - Maintaining functional eco-system services
  - Enhancing biodiversity and the preservation of natural habitats
  - Connecting ecological corridors and maintaining ecological buffers to mitigate against the impacts of climate change.

### **Guidelines for Integrating Rural Development**

It is recognised that municipalities lack capacity to address the challenge of integrating rural development on their own. National and provincial government need to commit themselves to the Constitutional principle of cooperative governance, which means:

- timeously communicating their rural development intentions and activities to the relevant local authority,
- actively supporting municipalities with the difficult task of synchronising and aligning diverse rural programs in their Integrated Development Plans, and
- allocating the necessary resources to implement, monitor and maintain rural investments.

Municipalities need to engage with local stakeholders, as well as provincial and national government departments who have a rural mandate, in the preparation of their IDPs and SDFs. The IDP serves as the municipality's strategic planning instrument providing direction on how, what and when its urban and rural components are to be developed. The SDF provides direction on where in the urban and rural landscape development will take place. As the IDP and SDF are complementary forward planning instruments, they both need to consider the linkages between a municipality's urban and rural areas. The participatory processes underpinning the preparation of an IDP provide for the involvement of all stakeholders, thereby enhancing the legitimacy of the end result.

One of the reasons why rural areas have been neglected in IDPs and SDFs, is because municipalities have not been able to source the required inputs to these plans. Towards improving the credibility of the rural component of IDPs and SDFs, guidelines are presented on where to source and how to interpret the following sectoral inputs:

- community development
- water resources
- the natural and cultural environment
- agriculture, forestry, fishing and mining
- rural land holdings, settlement and infrastructure
- the rural space economy.

In formulating an integrated development strategy as part of the IDP process, municipalities need to consolidate and align diverse rural initiatives of government, the private sector and civil society. These rural development initiatives typically encompass:

- community development
- local economic development
- land and agrarian reform
- agricultural support
- rural housing and household service delivery (on and off farm)
- infrastructure provision
- rural transport
- public works
- conservation and sustainable natural resource use.

To assist municipalities assemble and package these into an integrated rural development strategy, an inventory of rural development programs is presented.

#### **Guidelines on Preparing Rural Land Use Plans**

The guidelines on preparing the rural component of a municipal SDF cover: contextualising rural areas in the national and regional space economies; analysing and interpreting the rural spatial structure; and delineating the rural landscape into the following Spatial Planning Categories (SPCs):

- Core
- Buffer
- Intensive Agriculture
- Settlement.

#### **Guidelines on Managing Rural Land Use Change**

The principles underpinning the Western Cape's rural land use management guidelines are:

- Decisions on rural development applications should be based on the following sustainable land use principles:
  - social inclusion,
  - effective protection and enhancement of the environment,
  - prudent use of natural resources, and
  - maintaining high and stable levels of economic growth.
- Good quality and carefully sited development should be encouraged in existing settlements.
- Accessibility should be a key consideration in all development decisions.
- New building development in the open countryside away from existing settlements should be strictly controlled regarding scale, height, colour, roof profile, etc.
- Priority should be given to the re-use of previously developed sites in preference to greenfields sites.
- All development in rural areas should be well developed and inclusive, in keeping and scale with its location, and sensitive to the character of the rural landscape and local distinctiveness.

Detailed management guidelines are presented for the full spectrum of rural land uses. The provincial approach to managing the various rural land uses is as follows:

#### *Conservation:*

Biodiversity, heritage and scenic resources all form part of the rural conservation agenda, both at landscape and farm scales. The approach is to formally protect priority conservation areas, establish ecological linkages across the rural landscape, and mainstream a conservation ethic into all rural activities.

#### *Agriculture*

As base of the Western Cape's rural economy, the provincial approach is to: promote consolidation of farming landscapes and prevent their fragmentation; provide for land and agrarian reform; improve the viability of farming by facilitating diversification of the farm economy; and promote sustainable farming practises.

#### *Holiday accommodation*

Given the Western Cape's unique rural communities and landscapes, tourism offers exciting prospects to diversify and strengthen the rural economy. Accordingly the provincial approach is to facilitate the provision of a variety of holiday accommodation across the rural landscape that is in keeping with the local character.

#### *Rural housing*

Towards integrated rural development and sustainable human settlements in the Western Cape, new housing development beyond the urban edge urgently needs to be curtailed. The provincial approach is to channel pressures for residential development to existing towns, villages and hamlets. The only two exceptions put forward for housing development in the rural landscape are: providing 'on-and-off farm' security of tenure for farm workers; and providing restricted residential rights to incentivise the consolidation of rural properties of high biodiversity value and their incorporation into the conservation estate.

#### *Tourist and recreation facilities*

Towards diversifying the Western Cape's rural economic base into the tourism and recreation sectors, and developing these sectors on a sustainable and equitable basis – the provincial approach is to facilitate appropriate investment in these sectors across the rural landscape.

#### *Rural business*

Towards strengthening the rural economy, the provincial approach is to facilitate the development of businesses serving the needs of rural communities and tourists, as well as agricultural production, in suitable locations throughout the landscape.

#### *Rural industry*

Towards strengthening the rural economy, the provincial approach is to facilitate the development of rural industrial activity in suitable locations and at appropriate scale. Rural industrial activity includes: processing local and regional farm production; extracting minerals; processing natural resources; and servicing agriculture, mining, conservation and local tourism.

#### *Smallholdings*

Whilst rural land needs to be made available for small scale agricultural production (i.e. allotments), the provincial approach is to prevent further development of extensive residential lifestyle properties (i.e. smallholdings) in the rural landscape. Smallholdings could be established on suitable land inside the medium to longer term urban edge.

#### *Community facilities and institutions*

The approach is that community facilities serving rural communities should be located within or adjacent to existing settlements.

#### *Infrastructure installations*

Bulk infrastructure installations are public investments serving the broader community (i.e. both urban and rural). Because of their need for extensive space, unique locational requirements, or negative impact on surrounding areas – they often are located outside the urban edge. The provincial approach is to ensure that these essential public installations can function effectively in suitable rural locations (i.e. settlements or Buffer 2 SPCs).

#### *New settlement*

The approach is to channel, where-ever possible, settlement development pressures into the Western Cape's cities, towns, villages and hamlets, and apply the Isidima principles for sustainable human settlements to manage growth. Only in essential circumstances should new settlements of appropriate scale and compatibility be considered within the rural landscape.

## CONTENTS

1.	INTRODUCTION.....	1
1.1	Background .....	1
1.2	Study Area .....	1
1.3	Objectives of Provincial Rural Guidelines.....	1
1.4	Scope and Contents of Rural Guidelines.....	1
2.	THE RURAL CONTEXT.....	2
2.1	The Western Cape’s Evolving Urban – Rural Milieu	2
2.2	Rural Settlement Patterns.....	3
2.3	Role of the Western Cape’s Rural Areas .....	3
2.4	Fundamental Rural Concerns.....	4
3.	LEGISLATIVE & POLICY FRAMEWORK .....	5
3.1	Constitutional Rural Mandates .....	5
3.2	National Context.....	5
3.3	Provincial Context.....	10
3.4	Municipal Context.....	13
4.	POINTS OF DEPARTURE.....	14
4.1	Rural Vision .....	14
4.2	Guiding Principles .....	14
4.3	Rural Performance Qualities Strived For.....	15
4.4	Desired Outcomes .....	15
5.	GUIDELINES FOR INTEGRATING RURAL DEVELOPMENT .....	16
5.1	Rural Strategy Formulation .....	16
5.2	Inputs Needed to Inform Rural Development Strategies & Land Use Plans .....	17
5.3	Rural Development Programs.....	21
6.	GUIDELINES FOR PREPARING RURAL LAND USE PLANS.....	29
6.1	Contextualising Rural Areas .....	29
6.2	Analysing and Interpreting Elements of Rural Spatial Structure .....	29
6.3	Delineating Spatial Planning Categories .....	29
7.	GUIDELINES FOR MANAGING RURAL LAND USE CHANGE .....	42
8.	THE WAY FORWARD .....	66
	REFERENCES: .....	67
	LIST OF ACRONYMS.....	68
	GLOSSARY OF TERMS .....	70
	APPENDIX A: CONSERVATION STEWARDSHIP OPTIONS	77
	APPENDIX B: TECHNOLOGY OPTIONS FOR BUILDING DESIGN, CONSTRUCTION AND MAINTENANCE ..	82
	APPENDIX C: WASTE MINIMISATION GUIDELINES FOR HOLIDAY ACCOMMODATION ESTABLISHMENTS .	85
	ANNEX 1: CALCULATION OF DENSITY NORMS .....	89
	ANNEX 2: APPLICATION REQUIREMENTS FOR RURAL LAND USE CHANGE.....	91
	ANNEX 3: CONDITIONS OF APPROVAL FOR RURAL LAND USE CHANGE.....	97

## **1. INTRODUCTION**

### **1.1 Background**

Towards implementation of the Western Cape Provincial Spatial Development Framework (PSDF), explanatory manuals have been prepared to guide spatial planning and land use management inside the urban edge of the Western Cape's human settlements (e.g. Provincial Urban Edge Guidelines; Provincial Urban Restructuring Manual). Faced with escalating development pressures on the Western Cape's rural areas, the province is also providing guidance to its social partners on land use planning and management outside the urban edge (i.e. in rural areas).

For this reason provincial guidelines for rural resorts, and golf and polo estates were prepared in 2005. To complement these guidelines for specific rural land uses the Western Cape Department of Environmental Affairs & Development Planning (DEA&DP) commissioned a study in October 2007 to prepare coherent planning and management guidelines for the full spectrum of rural land uses.

In May 2008 a 1<sup>st</sup> draft of the rural guidelines were released for comment by the inter-governmental Steering Committee set-up to oversee the compilation of the guidelines. Based on comment received in December 2008 a 2<sup>nd</sup> draft of the Rural Guidelines was prepared for review by the Steering Committee. Based on their feedback this 3<sup>rd</sup> draft of the rural guidelines was prepared. In preparing these guidelines public comment on the 2005 draft provincial resort policy was reviewed, municipalities were surveyed to obtain their input on rural land use planning and management, and a literature review was undertaken to ascertain how other countries manage their rural areas.

### **1.2 Study Area**

The study defined all land situated outside the interim urban edge of Western Cape human settlements as the province's rural areas. In undertaking the study consideration was also given to the relationship between human settlements and rural areas, as well as the spatial interface between urban and rural areas (i.e. the so-called urban fringe).

### **1.3 Objectives of Provincial Rural Guidelines**

The provincial government's objectives in introducing the rural land use planning and management guidelines presented in this report are as follows:

- To promote sustainable development in appropriate rural locations throughout the Western Cape, and ensure that the poor share in the growth of the rural economy.
- To safeguard the functionality of the province's life supporting ecosystem services (i.e. environmental goods and services).
- To maintain the integrity, authenticity and accessibility of the Western Cape's significant farming, ecological, cultural and scenic rural landscapes, and natural resources.
- To assist Western Cape municipalities to plan and manage their rural areas more effectively.
- To provide clarity to the provincial government's social partners on what kind of development is appropriate beyond the urban edge, suitable locations where it could take place, and the desirable form and scale of such development.

### **1.4 Scope and Contents of Rural Guidelines**

The Western Cape rural guidelines presented in this report form part of the suite of explanatory manuals that DEA&DP have prepared to roll-out implementation of the PSDF. Whilst the provincial rural guidelines are informed by complementary rural policies and strategies of all spheres of government, they focus specifically on the spatial planning of rural areas and the management of pressures for land use change.

The balance of this report is structured as follows:

- Section 2 contextualises the Western Cape's rural areas by exploring: the origin of its urban-rural linkages; rural settlement patterns; the role of the Western Cape's rural areas; and fundamental concerns that need to be addressed.
- Section 3 examines the legislative and policy framework within which the rural guidelines have been framed.
- Section 4 sets-out points of departure to the rural guidelines by outlining: a vision for the Western Cape's rural areas; guiding principles; performance qualities strived for; and desired outcomes.



- Section 5 presents guidelines towards the achievement of integrated and sustainable rural development in the Western Cape.
- Section 6 presents guidelines for preparing rural land use plans.
- Section 7 presents guidelines for managing rural land use change.
- Section 8 concludes the report by outlining how the provincial rural guidelines are to be taken forward.

The findings of baseline research undertaken in the course of preparing the guidelines are presented in a separate report. Details on application of the rural guidelines are presented in technical annexes to this report.

## **2. THE RURAL CONTEXT**

To contextualize the Western Cape's rural areas, in this section the historical linkages between urban centers and rural areas are briefly examined, rural settlement patterns are identified, the role of the province's rural areas are explored, and fundamental rural concerns are explained.

### **2.1 The Western Cape's Evolving Urban – Rural Milieu**

History reflects the inextricable links between the Western Cape's rural areas and its human settlements. Pre-colonial settlement patterns were initially transitory and later sedentary, both being directly related to the availability of natural resources. The colonial era disrupted indigenous rural livelihoods and a process of villagisation took root as the early missionaries moved into the interior.

A network of human settlements began developing along the main routes extending out of the port of Cape Town and into the rural hinterland. These settlements were spaced a day's travel on horseback apart, and their primary function was to provide goods and services to surrounding farming areas. An interlinked system of central places evolved, and Cape Town began dominating the settlement hierarchy.

As the Western Cape economy diversified out of the primary sector, settlements with good access to markets, a large population within their catchment area and established infrastructure grew rapidly as their commercial and industrial sectors developed. Economic forces gave rise to urbanisation as work seekers migrated out of rural areas and small towns and moved to Cape Town and the larger towns in the province. In the process the primacy of the Western Cape's settlement hierarchy intensified.

The apartheid-era disrupted the logic that had previously underpinned human settlement patterns in the Western Cape. Some rural communities were dispossessed of their land and forcibly removed. African job seekers were restricted in accessing work in urban or rural areas and the families of those with a permit to work in the Western Cape were prohibited from settling in the province. Human settlements were segregated along racial lines, with the poor displaced to the

outskirts. The legacy of apartheid on the pattern and structure of human settlements in the Western Cape is still evident.

New urban and rural settlement dynamics have emerged in the democratic-era. These include:

- Rapid migration into the province by work seekers and their dependents, emanating mainly from the Eastern Cape and Northern Cape, which has exacerbated housing backlogs and lead to a proliferation of informal settlements.
- Less labour intensive farming practises and a displacement of farm-workers to neighbouring towns, many of whom cannot access jobs and formal housing and remain impoverished and marginalised.
- Resettlement of rural communities who were displaced in the apartheid era, settlement of emerging farmers as part of the land redistribution program, and improved security of tenure for rural dwellers.
- Rapid growth of the leisure and tourism sectors, driven mainly by the higher income domestic market and visitors from overseas. This has given rise to the rapid growth of settlements with scenic, cultural and/or recreational attractions and increased temporary settlement of rural areas.
- Foreign investment in the local property market, contributing to rapid increases in urban and rural land prices.
- A proliferation of low density resorts and residential lifestyle estates outside the urban edge, leading to the erosion of rural landscapes and the displacement of sprawl into rural areas.
- Rapid growth of Western Cape towns as a desirable location for the growing South African retirement market.

With an overall urbanisation rate of some 90%, the Western Cape's Provincial Growth and Development Strategy (PG&DS) highlights the uniqueness of the Western Cape's current settlement patterns. A provincial study into the development potential of towns undertaken for the PSDF revealed the following profile in the economic base of the Western Cape's settlements:

- 36% of settlements are either dormitory (i.e. residents live there permanently but work elsewhere), second home centres, or retirement centres.
- 26% are traditional central place towns serving the daily needs of a surrounding farming community.

- 25% are tourism or recreation centres.

The PSDF highlights that dormitory settlements have now become the dominant pattern in the Western Cape and that current settlement dynamics are not sustainable. The Western Cape's rural guidelines need to give attention to rebalancing the urban-rural milieu.

## 2.2 Rural Settlement Patterns

Rural settlement patterns in the Western Cape comprise:

- the farm homestead and associated outbuildings, usually clustered together and historically enclosed in the farm 'werf';
- on-farm workers accommodation in the form of labourers cottages and some single sex hostels, usually located away from the farm 'werf', with recent trends showing the conversion of labourers cottages into visitor accommodation;
- off-farm hamlets and villages located along the main movement routes;
- recent patterns of rural residential sprawl, mainly on the outskirts of urban centres, associated with new low density property developments; and
- a growing incidence of the conversion of working farms into weekend leisure destinations where the veld is often restored to a natural state and dispersed leisure accommodation is developed.

In conflict with the PG&DS focus on shared growth and integrated development, recent settlement trends point to the increasing gentrification of the Western Cape rural landscape.

## 2.3 Role of the Western Cape's Rural Areas

The Western Cape's varied and unique rural landscapes are clearly under threat and warrant greater protection. The significance of rural areas to the province derives from the fact that they are:

- the location of life-supporting natural systems (i.e. eco-system services);
- the base of agriculture which still underpins the Western Cape's economy, especially in rural areas, and provides food security, sustains rural livelihoods and draws income into the province;
- the location of globally significant and diverse habitats of rare and endangered biodiversity;

- authentic rural landscapes of scenic, cultural and natural splendour that underpin the Western Cape's attraction as a world class tourism destination; and
- the location of diverse outdoor recreational and leisure activities for residents of and visitors to the Western Cape.

## 2.4 Fundamental Rural Concerns

Current rural development patterns in the Western Cape are of serious concern to the provincial authorities for the following reasons:

- The cumulative impact of piece-meal development in different municipal jurisdictions is fragmenting the Western Cape's rural landscapes and eroding its natural resource base. As the Western Cape's rural assets are of national significance from ecological, cultural and economic perspectives – it is incumbent on the provincial authority to ensure that this asset base is developed on a sustainable basis with due consideration to alleviating poverty, promoting food security, facilitating land reform, and mitigating against the impacts of climate change.
- With the roll-out of the Western Cape's urban edge policy to contain urban sprawl and promote the restructuring of human settlements, property developers are turning their attention to the rural areas. In the absence of a coherent provincial policy on how these development pressures should be managed, there are growing incidences of rural residential sprawl in the Western Cape. Whilst the provincial government encourages investment in its rural areas, of concern is that some forms of rural development are distorting the Western Cape's settlement structure, undermining the authenticity of rural landscapes as prime tourist attractions, gentrifying the countryside and marginalising the rural poor, and contributing to an overall decline in public access to rural resources.
- Given a limited rural revenue base and staff shortages, municipalities lack capacity to plan for and manage their rural areas. As a result rural areas have been generally neglected in municipal Integrated Development Plans (IDPs) and Spatial Development Frameworks (SDFs). There is a growing disjuncture between the zoning of rural land and how it is used,

and diverse interpretations of what land uses are appropriate in a rural context. Municipal efforts at managing their rural areas are complicated by the overlapping jurisdiction of diverse statutory authorities. Current efforts at cooperative governance of rural areas are not proving effective.

Clearly a new and coherent provincial approach to planning and managing the Western Cape's rural areas is urgently needed.

### **3. LEGISLATIVE & POLICY FRAMEWORK**

#### **3.1 Constitutional Rural Mandates**

The Western Cape's rural guidelines have been formulated in conformity with the province's constitutional mandate. With respect to rural areas the Constitution allocates the following responsibilities:

- The concurrent competencies of national and provincial government are:
  - Administration of indigenous forests
  - Agriculture and soil conservation
  - Cultural affairs
  - Environment and nature conservation
  - Housing
  - Regional planning and development
  - Tourism
  - Rural development
- Provincial planning is an exclusive competency of provincial government.
- Municipalities have executive authority in respect of:
  - Building regulations
  - Local tourism
  - Municipal planning
  - Any other matter assigned to it by national or provincial government

The rural guidelines give effect to Section 24 (b)(iii) of the Constitution's Bill of Rights which obligates government to take measures that "secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development". Towards promoting the constitutional principle of co-operative governance, all spheres of government were represented on the Steering Committee that supervised and contributed to the Western Cape's rural guidelines.

#### **3.2 National Context**

There is a vast array of national legislation, policies and strategies impacting on rural areas (see the study's Phase 2 Baseline Research Report for an overview). Those pertaining to the spatial planning and management of land use in rural areas are set out below.

#### **a) Development Facilitation Act**

The following principles set out in Chapter 1 of the Development Facilitation Act (Act 67 of 1995 – DFA) inform the rural guidelines:

- Consideration of urban and rural development.
- Facilitation of existing and new settlement development.
- Promotion of efficient and integrated land development through:
  - development of rural and urban areas in support of each other,
  - optimisation of existing resources (agriculture, land, minerals, infrastructure, etc),
  - discouraging urban sprawl,
  - contributing to correction of historically distorted patterns of development, and
  - encouraging sustainable land development practices and processes.
- Encouraging, making known and optimizing the contribution of all economic sectors.
- Promoting fiscal, institutional and administrative sustainability.
- Promoting speedy land development.
- Clear, readily available laws, procedures and practices which does not only serve as regulatory measures, but also provide guidance and information.

#### **b) Municipal Systems Act**

The Municipal Systems Act (Act 32 of 2000 as amended in 2003 - MSA) establishes the basis of co-operative governance applicable to the planning and management of rural areas. In exercising their authority national and provincial government may not compromise a municipality's ability to exercise its authority, and must consult with municipalities where their compliance with plans and strategies is required.

Municipalities, in turn, must undertake developmentally-orientated planning in the form of an Integrated Development Plan (IDP) that aligns with, and complements, the development plans and strategies of other municipalities and organs of state. Thus in the preparation of IDPs municipalities must consult with

neighbouring municipalities and other spheres of government, and the IDPs of district and local municipalities must be aligned. Once adopted by Council an IDP is the principal strategic planning instrument which guides and informs all planning and development, and all decisions with regard to planning, management and development, in the municipality.

The Western Cape rural guidelines are introduced in accordance with the provisions of the MSA, which provides for provincial government to facilitate the coordination and alignment of the IDPs between different municipalities, and with the plans, strategies and programs of national and provincial organs of state. The MSA's regulations stipulate that a municipality's IDP must identify:

- any investment initiative of the municipality;
- any development initiative of the municipality (i.e. infrastructural, physical, social; etc); and
- all known projects, plans and programs to be implemented by any organ of state (e.g. housing and land reform initiatives).

The MSA also specifies that an IDP must reflect a Spatial Development Framework (SDF) for the municipality's area of jurisdiction. The MSA's regulations stipulate that a SDF must:

- (a) give effect to the principles contained in Chapter 1 of the DFA;
- (b) set out objectives that reflect the desired spatial form of the municipality;
- (c) contain strategies and policies regarding the manner in which to achieve the objectives referred to in paragraph (b), which strategies and policies must:
  - (i) indicate desired patterns of land use within the municipality;
  - (ii) address the spatial reconstruction of the municipality; and
  - (iii) provide strategic guidance in respect of the location and nature of development within the municipality;
- (d) set out basic guidelines for a land use management system in the municipality;
- (e) set out a capital investment framework for the municipality's development programs;

- (f) contain a strategic assessment of the environmental impact of the spatial development framework;
- (g) identify programs and projects for the development of land within the municipality;
- (h) be aligned with the SDFs reflected in the IDPs of neighbouring municipalities; and
- (i) provide a visual representation of the desired spatial form of the municipality, which representation:
  - (i) must indicate where public and private land development and infrastructure investment should take place;
  - (ii) must indicate desired or undesired utilisation of space in a particular area;
  - (iii) may delineate the urban edge;
  - (iv) must identify areas where strategic intervention is required; and
  - (v) must indicate areas where priority spending is required.

The MSA stipulates that an SDF contained in an IDP prevails over other spatial plans (as defined in the Physical Planning Act (Act 125 of 1991)).

### **c) National Environmental Management Acts**

The framework legislation, the National Environmental Management Act (Act 107 of 1998 - NEMA), places the environment in public trust for the people and stipulates that:

- the beneficial use of resources must serve the public interest,
- the environment must be protected as the people's common heritage,
- the impact of development on renewable resources and ecosystems must not exceed the level beyond which their integrity is jeopardised,
- precaution is needed where the consequences of developmental impacts are not fully understood,
- negative impacts on the environment and people's environmental rights must be anticipated and prevented, and where they cannot be fully prevented they should be minimized and remedied, and

- equitable access to environmental resources, benefits and services must be pursued to meet basic human needs.

Within this framework the National Environmental Management: Biodiversity Act (Act 10 of 2004 - NBA) provides for the management and conservation of biodiversity at national and bioregional scales. Provision is made for the preparation of bioregional plans as basis for the management of biodiversity and its components.

Chapter 3 of the NBA provides for the publishing of bioregional plans, for which the South African National Biodiversity Institute (SANBI) has published guidelines. Listed threatened ecosystems will be reflected in these plans as part of the "critical biodiversity areas" to be accounted for in planning and conservation. The Act makes provision for a second category of "protected ecosystems" which are under threat, but not in immediate danger. Such ecosystems will also be reflected in bioregional plans.

Chapter 4 provides for listing of threatened and protected ecosystems by the Minister or MEC. Once listed, these ecosystems will have to be taken into account in IDPs, by implication in SDFs, and will be considered special areas in terms of NEMA. The Critical Biodiversity Area (CBA) maps provide the spatial basis for a bioregional plan in terms of the NBA. Once a bioregional plan or threatened ecosystems are published, municipal IDPs and SDFs need to take them into consideration.

Also within the framework of NEMA, the National Environmental Management Protected Areas Act (Act 57 of 2003 - NEM:PAA) provides for the protection and conservation of ecologically viable areas representative of the country's biological diversity and its natural landscapes and seascapes. The Act makes provision for the involvement of the organs of state as well as other parties in the declaration and management of protected areas.

#### **d) National Heritage Resources Act**

The National Heritage Resources Act (Act 25 of 1999 - NHRA) introduced an integrated system for the identification, protection and management of heritage resources nationally, provincially and at municipal level. The Act has facilitated increased recognition of the cultural significance of the Western Cape's rural landscapes (e.g. portion of the Cape Winelands Cultural Landscape was declared a provisionally protected heritage resource by the South African Heritage Resource Agency (SAHRA) and it is their intention to declare the area as a national heritage site).

The Act establishes a legal obligation on those involved in rural land use planning and management to give attention to, and respond to, heritage considerations both at site and landscape levels.

#### **e) National Water Act**

The National Water Act (Act 36 of 1998 as amended - NWA) is founded on the principles of sustainable use of water for the benefit of all users. To these ends the NWA puts in place measures for the integrated management of all aspects of water resources by water catchment management agencies. The Act and subsequent policy has significant impacts on rural areas as water is the critical component to rural development and water availability plays an important role in regional differences in land use in the Western Cape. The realities of water deficits in parts of the province and the impacts of climate change, necessitates that the Western Cape rural guidelines need to align land use with water resources, both in terms of water resource utilization (e.g. agriculture, rural industry) and water resource protection. Thus in preparing rural land use plans and administering applications for land use change, close collaboration is required between provincial and local government and the Department of Water Affairs and Forestry.

#### **f) Subdivision of Agricultural Land Act, Conservation of Agricultural Resources Act & Sustainable Utilisation of Agricultural Resources Bill**

Whilst there is speculation that the Subdivision of Agricultural Land Act (Act 70 of 1970 - SALA) will be repealed, the Act is still

applicable to all land zoned Agriculture or Rural in the Western Cape. The Act serves to regulate the subdivision of viable agricultural land. The Department of Agriculture, who administer the Act, have developed specifications for minimum farm sizes for different crop types, as well as minimum water availability requirements for irrigated crop types.

The Conservation of Agricultural Resources Act (Act 43 of 1983 - CARA) provides for the conservation of natural agricultural resources through prevention of erosion and the destruction of water resources, and veld protection measures.

The Sustainable Utilisation of Agricultural Resources (SUAR) Bill is intended to replace the Subdivision of Agricultural Land Act and the Conservation of Agricultural Resources Act. It retains the essential features of the Acts it will replace, and introduces post-apartheid agrarian reform and food security programs. Enshrined in SUAR is the national policy on the protection of high potential and unique agricultural land (HPUAL). In terms of this policy a HPUAL data-base will be established, norms and standards for subdividing agricultural land and changing its use will be developed, and applications for a change of use of agricultural land and/or its subdivision will be dealt with at ministerial level. The Bill tasks provinces with the responsibility of ensuring that the principles of the HPUAL policy are incorporated into municipal IDPs and SDFs. Municipalities are required to promulgate by-laws in order to give effect to the policy.

#### **g) The Strategic Plan for South African Agriculture**

This sector plan, developed in 2001 by the Department of Agriculture, AgriSA and NAFU has as its vision "a united and prosperous agricultural sector" The strategy identifies the following as key sector challenges:

- (i) Constrained global competitiveness and low profitability
- (ii) Skewed participation given the legacy of exclusion and discrimination
- (iii) Low investor confidence in agriculture
- (iv) Inadequate, ineffective and inefficient support and delivery systems

- (v) Poor and unsustainable management of natural resources, manifesting in land degradation on good and marginal land

Core strategies to address the strategic objective of "equitable access and participation in globally competitive, profitable and sustainable agricultural sector contributing to a better life for all" comprise three key elements, namely global competitiveness and productivity, sustainable resource management, and equitable access and participation.

The "equitable access and participation strategy" highlights the need to:

- (i) Alter the perception that agriculture is characterized by low profitability, indebtedness, security problems and by a dual sector comprising "commercial farmers" and so-called "emerging farmers"
- (ii) Facilitate improved access to land and the vesting of secure tenure rights in order to initiate the process of economic empowerment in South African agriculture
- (iii) Ensure adequate support services through farmer support programmes, including:
  - improved market access for new entrants,
  - enhanced technology transfer to new farmers,
  - young entrepreneurial development and mentorship projects,
  - improved access to financial services, and
  - improved extension service

The "sustainable resource management strategy" has as its objective the need to enhance farmers' capacities to use resources in a sustainable manner and to ensure the wise use and management of agricultural resources. Central to this strategy is the need to preserve agricultural biodiversity and promote the sustainable use of resources through both appropriate farming systems including integrated production, integrated crop management and organic farming as well as the linking of natural resource management to support programmes (e.g. stewardship)

The Strategic Plan for South African Agriculture promotes the following within the rural sector:

- Local economic development with particular attention focused on rural towns, service centres and villages.
- Strengthening the profile and role of agriculture and related industries in the IDP processes of local authorities.
- Promoting income generation and livelihood activities by women, the youth and disabled that are primarily geared to meeting the needs of poor families and local market demands.
- Rural development nodes.
- Rural settlement planning to accommodate new settlement patterns that are evolving since the removal of apartheid settlement laws and the dawn of the post- 1994 democratic order.

#### **h) National Framework for Sustainable Development**

A key target of the Millennium Development Goals is to integrate principles of sustainability into country policies and programs. To this end the Department of Environmental Affairs and Tourism (DEAT) have prepared a National Framework for Sustainable Development (NFSD). The following sustainability principles set-out in the NFSD inform the Western Cape's rural guidelines:

- Efficient and sustainable use of natural resources.
- Socio-economic systems are embedded within, and dependent upon, ecosystems.
- Basic human needs must be met to ensure resources necessary for long-term survival are not destroyed for short term gain.

The NFSD identifies the following threats to sustainability in South Africa:

- The negative impacts of persistent poverty and inequality, given that the costs of steadily degrading eco-system services and non-renewable resource depletion are disproportionately carried by the poor.
- The continued depletion of natural resources will undermine capacity for sustained economic growth.

The 5 strategic priority areas identified in the NFSD are:

- (i) Enhancing systems for integrated planning and implementation.
- (ii) Sustaining eco-systems and using resources sustainably.
- (iii) Investing in sustainable economic development and infrastructure.
- (iv) Creating sustainable human settlements.
- (v) Responding appropriately to emerging human development, economic and environmental challenges.

#### **i) Integrated Sustainable Rural Development Strategy**

In 2000 the government launched its Integrated Sustainable Rural Development Strategy (ISRDS) designed to realize a vision that will "attain socially cohesive and stable rural communities with viable institutions, sustainable economies and universal access to social amenities, able to attract and retain skilled and knowledgeable people, who are equipped to contribute to growth and development". The strategy focuses on better alignment of the expenditure of the spheres of government to achieve its objectives. The strategy has been rolled-out in the Central Karoo district in the Western Cape, one of the national pilot areas.

Local government is tasked with the central role in integrating programs to achieve synergistic rural development, through its IDP program. Provinces are tasked with coordinating, integrating and aligning planning outputs, and as key agents in alignment of development inputs from the organs of state.

#### **j) National Land & Agrarian Reform Programs**

The 3 components of the Department of Land Affairs' (DLA) land reform program are restitution, redistribution and tenure reform. There are a range of national support programs underpinning land and agrarian reform. To inform resolution of outstanding land restitution claims and achievement of the target of redistributing 30% of commercial agriculture land by 2014, the Department of Land Affairs has initiated a program of area based planning at district level. To incorporate land and agrarian reform into IDPs and SDFs, DLA are working with municipalities to prepare these area based plans (ABPs).



### **k) National Spatial Development Perspective**

The National Spatial Development Perspective (NSDP), adopted in 2005, establishes a spatial framework for allocating public investment to different parts of the country. In areas of low economic potential the NSDP advocates limiting public investment to meeting basic needs, and channelling the bulk of public investment in infrastructure and development into areas that have economic potential. The NSDP targets metropolitan areas and districts as the building blocks of developing coherent regional space economies in South Africa.

## **3.3 Provincial Context**

The Western Cape's rural guidelines need to conform to current and pending national legislation, and align with associated policies, strategies and programs as presented above. Similarly they also need to be consistent with, and take forward, provincial legislation, strategies, policies and guidelines impacting on rural areas. Those pertaining to the province's rural land use planning and management system are outlined below.

### **a) Land Use Planning Ordinance, Western Cape Planning and Development Act & Proposed Land Use Planning Act**

The legislative framework within which land use planning and management takes place in the Western Cape is in a state of flux with the transition from the apartheid-era to the relatively new democratic dispensation. The current land use planning systems in the province may be summarised as follows:

- Guide Plans prepared under the Physical Planning Act are one of the few statutorily approved land use plans in the Western Cape, until individually replaced. Notwithstanding the apartheid roots of these plans, progress with their replacement has been slow.
- Structure Plans, prepared for some of the province's urban centres, have been approved in terms of Sections 4(6) and 4(10) of the Land Use Planning Ordinance (Ordinance 15 of 1985 as amended - LUPO) and thus have statutory status to guide future land use patterns, but they do not confer real land use rights.
- In recent years rural areas have received greater attention with the preparation of Spatial Development

Frameworks (SDFs) covering municipal jurisdictions (i.e. their urban and rural components). To date these SDFs have not been statutorily approved in terms of the MSA, mainly because they have been prepared separately from the IDP process.

- Post apartheid provincial legislation was promulgated in the form of the Western Cape Planning and Development Act (Act 7 of 1999 – PDA), but to date it has not been implemented. DEA&DP are currently drafting a new Land Use Planning Act. They intend replacing LUPO with this new act and applying it as the framework provincial planning legislation.
- The Development Facilitation Act (Act 67 of 1995 – DFA), national legislation, has not been adopted in the Western Cape to date except for its principles which are incorporated in the PDA.
- DEA&DP, in partnership with the Department of Local Government and Housing (DLG&H), recently launched the Western Cape Built Environment Support Program (BESP) with the intention of assisting municipalities produce credible SDFs. The BESP currently encompasses:
  - Developing an enabling regulatory framework.
  - Producing a SDF Manual.
  - Assisting 6 municipalities produce credible SDFs and Human Settlement Plans (HSP).
  - Establishing a Development Facilitation Unit (DFU) to build provincial and municipal capacity.

The current system for managing rural land use and land use change in the Western Cape is also in a state of flux. The current provincial land use management system may be summarised as follows:

- Zoning schemes, promulgated in terms of LUPO, confer real rights to the use of land, but many municipal zoning schemes are outdated as they reflect land use paradigms of the apartheid era. With the delimitation of new municipal areas, more than one zoning scheme may apply where these have been inherited from previous local authorities.

- Many Western Cape municipalities are busy rationalising their zoning schemes in the form of an Integrated Zoning Scheme.
- There is not consistency between municipal zoning schemes regarding rural land use categories.
- To address this shortcoming provincial model-scheme by-laws have been introduced, but these are guidelines and not all municipalities have adopted them.
- The Department of Agriculture, and not municipalities, have jurisdiction over the change of use and subdivision of agricultural land.

In light of current dynamics in the national and provincial legislative framework for land use planning and management, it is appropriate that the Western Cape have introduced rural guidelines now to facilitate improved coordination and alignment. Once the evolving legislative framework has been resolved, the rural guidelines can be used to frame provincial regulations.

**b) Western Cape Provincial Growth & Development Strategy**

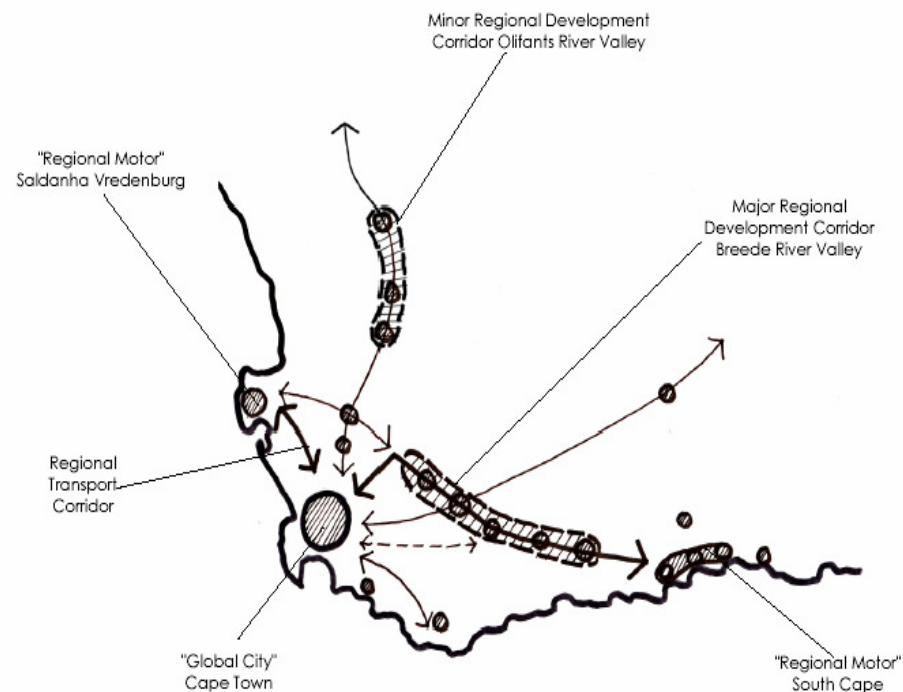
To align with the NSDP, in 2006 the Western Cape Provincial Growth and Development Strategy (PG&DS) was gazetted as a Green Paper. The PGDS takes the name 'iKapa Elihlumayo' – meaning 'Growing the Cape' – and defines the province's shared growth and integrated development targets for 2014.

The PGDS highlights that the Western Cape is largely an urban province, given an urbanisation rate of 90%. Its cities and towns are where most of the poor live and the rural areas are relatively more affluent. Farm workers, however, are among the poorest and many having been displaced from farms have moved to urban centres.

The four interdependent elements underpinning the province's strategic focus on shared growth and integrated development are equity, growth, empowerment and environmental integrity. The PG&DS advocates that the form and rate of growth in the Western Cape needs to be framed by resource availability, especially water, energy and biodiversity.

As illustrated below, the PG&DS prioritises the following areas in the Western Cape for focused economic intervention and infrastructure investment:

- Regional 'motors' (Metropolitan Cape Town, South Cape and Saldhana-Vredenberg)
- Regional development corridors (Oliphants and Breede river valleys)
- Regional transport corridors (N1, N2 & N7)
- 'Leader towns' (15 towns with highest growth potential)



To achieve its objectives the PG&DS stresses the need for developmental provincial and local government, and alignment

of metropolitan and district IDPs underpinned by enabling provincial and municipal SDFs.

**c) Western Cape Provincial Spatial Development Framework**

The Western Cape Provincial Spatial Development Framework (PSDF) was endorsed by the provincial cabinet in 1995. It highlights that current spatial development patterns in the Western Cape are unsustainable, calls for a new approach to land use planning and management, and to this end sets-out principles and policies for the coherent and integrated development of the province.

Strategic objectives of the PSDF of relevance to rural areas are:

- supporting land reform,
- conserving and strengthening the sense of place of the Western Cape's important natural, cultural and productive landscapes, and
- protecting the province's biodiversity and agricultural resources.

Building on the NSDP and PG&DS, the PSDF refines the spatial framework for public investment in the Western Cape. Whilst the spatial investment priorities are the province's urban nodes and regional corridors, the PSDF emphasises the uniqueness and importance of the Western Cape's rural landscape. The rural guidelines presented in this report form part of the roll-out of the PSDF.

**d) Isidima – Western Cape Sustainable Human Settlement Strategy**

Isidima sets-out the DLG&H strategy for achieving the goal of all Western Cape citizens and residents - particularly poor households - living in vibrant, safe, efficient and sustainable human settlements. Isidima identifies priority actions for addressing the following 8 objectives:

- Providing a range of housing services and instruments that respond to different needs and contexts.
- Aligning intergovernmental human settlement policies and investments.
- Building municipal delivery capacity.

- Establishing an enabling and functioning property market.
- Restructuring departmentally to implement.
- Using state land and other resources for spatial restructuring.
- Consolidating a pact between government and civil society.
- Ensuring that new human settlement investment is planned in accordance with ecological design principles, and incentivising its adoption in existing investments.

As presented in Section 4, Isidima's guiding principles are adopted as points of departure for the Western Cape's rural guidelines.

**e) Strategic Infrastructure Plan**

Towards implementation of the PG&DS, the Department of Public Works and Transport (DPW&T) has produced a Strategic Infrastructure Plan (SIP) for the Western Cape. It constitutes the planning framework within which physical infrastructure that supports shared growth and integrated development in the Western Cape is to be provided. The priorities of the SIP include investment in transport infrastructure (particularly public transport); matching health and social services to community needs; and ensuring sustainable usage of natural resources including water, energy and land. As part of the roll-out of the SIP, the DPW&T are coordinating the preparation of Integrated Transport Plans and Infrastructure Plans in all municipalities.

**f) Other Provincial Rural Policies & Guidelines**

The Western Cape's rural guidelines complement provincial policies and guidelines for its urban areas (e.g. Urban Edge, Urban Restructuring, etc). The rural guidelines also build-on, take forward, and consolidate various provincial policies, guidelines and initiatives that impact on rural areas. These Western Cape initiatives include:

- The provincial bioregional planning framework.
- Policies for farm worker settlement, and agricultural holdings in the urban fringe.
- Guidelines for resorts, and golf and polo estates.

- Landscape programs and fine scale biodiversity plans (e.g. CAPE and SKEP programs), including the mapping of Critical Biodiversity Areas (CBAs).
- LandCare area wide planning by the Department of Agriculture.
- Environmental management frameworks (EMF).
- EIA and biodiversity offset guidelines.

- Land uses of an urban nature where seen as being inappropriate in a rural area, as were those that consumed large quantities of water.

The rural guidelines were prepared in close consultation with the parallel initiative, sponsored by SANBI, to mainstream biodiversity considerations into the Western Cape land use planning system.

### 3.4 Municipal Context

In the course of preparing the provincial rural guidelines the South African Local Government Association (SALGA) assisted in a survey of Western Cape municipalities to obtain their inputs (see the study's Phase 2 Baseline Research Report for details). Key findings emanating from the municipal survey were:

- There is escalating pressure for rural land use change, particularly resort and rural residential applications.
- In processing applications municipalities are frustrated by the slow response of departments who are required to provide comments and the limited manpower capacity of the municipality.
- The large geographic area covered by municipalities restricts their ability to enforce rural land use compliance.
- 60% of respondents reported using Spatial Planning Categories (SPCs) in the rural spatial plans, 30% reported that fine scale planning had been undertaken in parts of their rural areas, and none of the respondents had a rural EMF in place.
- Land reform was the priority rural forward planning issue reported, followed by rural LED.
- Rural service delivery was identified as the priority rural land use management issue.
- 70% of respondents saw tourism development as an appropriate rural land use, and 30% were of the opinion that low density housing is appropriate in a rural context.

## 4. POINTS OF DEPARTURE

From the plethora of rural legislation and policies examined in the previous section, this section distils key points of departure to the Western Cape's rural land use planning and management guidelines. The points covered are: a rural vision statement; guiding principles; performance qualities; and desired outcomes.

### 4.1 Rural Vision

The Western Cape seeks to ensure: sustainable development of its rural areas; conservation of their biological diversity; functionality of ecosystems; and safeguarding of rural heritage and culture. The following vision is aspired to:

- The province's rural economic base, particularly agriculture and tourism, strengthens, offers opportunities for economic empowerment, and adopts sustainable business practices.
- Rural amenities and economic opportunities are accessible to the province's residents, particularly poor communities with limited mobility.
- The province's varied and unique natural, cultural and agricultural landscapes enjoy adequate protection, and its blighted landscapes are being rehabilitated.
- A clear distinction can be made between the province's urban and rural landscapes, and there is a legible and logical structure of human settlements.
- The province's core natural (i.e. untransformed) habitats are inter-connected and managed to sustain biodiversity
- The province's rural landscapes are maintained, either by a responsible party (e.g. statutory authority, land owner, user group, community) or by a partnership between interested parties.
- National, provincial and local government collaborate and align their efforts to plan, manage and sustainably develop the Western Cape's rural areas.

### 4.2 Guiding Principles

Towards the realisation of this vision, Isidima's guiding principles underpin the Western Cape's rural guidelines. These are:

- *Sense of justice:*

- Meeting fundamental needs of rural communities, especially the poor
- Restitution and redistribution of land and natural resources
- Rights-based democratic governance
- Participatory rural planning processes
- *Sense of limits:*
  - Incremental gains over time, working with what is available
  - Transition to renewable energy alternatives and energy efficiency
  - Zero waste via reuse of waste outputs as productive inputs
  - Connectivity along rural movement corridors, towards viable public transport
  - Sustainable construction materials and building methods
  - Sustainable use of water and other natural resources
- *Sense of place:*
  - Response to landscape context
  - Sensitivity to spiritual qualities of rural areas
  - Respect of rural settlement form
  - Integrated and safe rural communities
- *Sense of history:*
  - Valuing cultural diversity and rural community
  - Sensitivity to cultural landscapes
  - Response to rural settlement patterns and built vernacular
- *Sense of craft:*
  - Growing and broadening the rural economy, greater equity and fair trade
  - Farming security and sustainable food supplies
  - Adding value to agricultural products
  - Strengthening rural tourism (agri and nature based)
  - Rural livelihood skills development
- *Sense of nature:*
  - Maintaining functional eco-system services
  - Enhancing biodiversity and the preservation of natural habitats
  - Connecting ecological corridors and maintaining ecological buffers to mitigate against the impacts of climate change.

### 4.3 Rural Performance Qualities Strived For

The guidelines for rural land use planning and management in the Western Cape strive to achieve the following performance qualities:

- Rural areas providing a unique lifestyle and sustainable livelihoods for all residents.
- Human settlements and surrounding rural areas functioning as interconnected systems.
- Rural development reinforcing a logical network of human settlements of varying sizes and functions.
- Maintaining the authenticity of the Western Cape's unique rural areas, which involves:
  - preserving the dominance of working agricultural landscapes,
  - ensuring that new development in the rural landscape is as unobtrusive as possible and responds to the 'sense of place',
  - securing and consolidating the conservation estate, and
  - integrating rural development with existing regional and sub-regional movement routes.
- Optimising historical investment in rural infrastructure and adopting sustainable technologies in new investments.

### 4.4 Desired Outcomes

Towards fulfilling its exclusive and concurrent constitutional competencies, the desired outcomes of the Western Cape introducing provincial guidelines for rural land use planning and management are:

- Coherence in how Western Cape municipalities undertake rural land use planning, and clarity regarding the contents of these plans.
- Alignment of municipal rural land use planning with the rural spatial plans prepared by other institutions (e.g. Biodiversity Plans, Bioregional Plans, Department of Agriculture's Area Wide Plans). Department of Land Affairs Area Based Plans).
- Clarity to the Western Cape Government's social partners on the location, nature and form of development that could be accommodated beyond the urban edge.
- Uniformity in how Western Cape municipalities manage the pressures for rural land use change.
- Cooperation, alignment and integration between the spheres of government in planning and managing rural land use.

From the above points of departure, Western Cape guidelines for integrating rural development, preparing rural land use plans, and managing pressures for rural land use change are presented in the following three sections of the report.

## 5. GUIDELINES FOR INTEGRATING RURAL DEVELOPMENT

The rural domain is a particularly complex area to plan and manage as it is characterized by overlapping jurisdictions of different spheres of government. In these circumstances it has proven difficult for Western Cape municipalities to effectively integrate the rural development activities of diverse stakeholders. Integration of rural development is not the sole responsibility of municipalities, as the Constitution designates rural development as a concurrent competency of national and provincial government.

The guidelines for integrating rural development presented in this section recognise that municipalities lack capacity to address this challenge on their own. Whilst the guidelines presented are targeted at assisting municipalities improve the planning and management of their rural areas, they are premised on the understanding that all spheres of government will commit themselves to the Constitutional principle of cooperative governance. This means that national and provincial government must:

- timeously communicate their rural development intentions and activities to the relevant local authority,
- actively support municipalities with the difficult task of synchronising and aligning diverse rural programs in their Integrated Development Plans, and
- allocate the necessary resources to implement, monitor and maintain rural investments.

Guidelines are presented in this section on: using the IDP process to formulate a rural development strategy; sectoral inputs needed to inform rural strategy formulation and the preparation of rural land use plans; and the range of rural development programs that can be implemented.

### 5.1 Rural Strategy Formulation

In line with the provisions of the Municipal Systems Act and the Intergovernmental Relations Framework Act, municipalities need to engage with local stakeholders, as well as provincial and national government departments who have a rural mandate, in the preparation of their IDPs and SDFs. The IDP serves as the municipality's strategic

planning instrument providing direction on how, what and when its urban and rural components are to be developed. The SDF provides direction on where in the urban and rural landscape development will take place. As the IDP and SDF are complementary forward planning instruments, they both need to consider the linkages between a municipality's urban and rural areas.

The participatory processes underpinning the preparation of an IDP provide for the involvement of all stakeholders, thereby enhancing the legitimacy of the end result. The Department of Provincial and Local Government's (DPLG) IDP Guide Pack sets-out detailed guidelines to assist municipalities prepare IDPs. Towards assisting municipalities improve the rural development component of their IDPs, guidelines are presented in Box 1 below.

<b>Box 1: Guidelines for Addressing Rural Component of IDPs</b>		
<b>Activity</b>		<b>Guidelines</b>
1	Prepare vision statement	<ul style="list-style-type: none"> <li>• Ensure vision for the long term development of municipality's rural areas is articulated</li> <li>• <b>Involve rural stakeholders in visioning exercise</b></li> </ul>
2	Undertake situational analysis	<ul style="list-style-type: none"> <li>• Review lessons learnt from previous IDP and SDF</li> <li>• Investigate inter and intra municipal urban-rural linkages, highlighting opportunities &amp; threats</li> <li>• Assess current performance of rural areas, with attention to strengths &amp; weaknesses</li> <li>• Research development needs of marginalised rural communities</li> <li>• <b>Identify critical rural development issues</b></li> </ul>
3	Set development objectives & priorities	<ul style="list-style-type: none"> <li>• Research rural initiatives of government, private sector, NGOs &amp; CBOs</li> <li>• Workshop rural development issues &amp; options with stakeholders</li> <li>• <b>Define rural development objectives &amp; priorities</b></li> </ul>
4	Formulate integrated rural dev strategy	<ul style="list-style-type: none"> <li>• Work-out sector specific strategies &amp; rationalise them into an integrated rural development strategy, with consideration of spatial implications</li> <li>• Incorporate land reform into the rural strategy</li> <li>• <b>Define, align &amp; prioritise strategic rural interventions</b></li> </ul>
5	Work-out how to implement strategies	<ul style="list-style-type: none"> <li>• Identify lead implementation agents and overlap between interventions</li> <li>• Schedule interventions into implementation project program</li> <li>• Determine implementation resource requirements</li> <li>• <b>Document rural development operational plan</b></li> </ul>

6	Prepare disaster management plan	<ul style="list-style-type: none"> <li>Review lessons learnt from previous disasters</li> <li>Determine contingency plans of statutory authorities responsible for fire, health, flooding &amp; drought disaster relief</li> <li>Document rural disaster management plan</li> </ul>
7	Budget for delivery	<ul style="list-style-type: none"> <li>Finalise budgets of rural development projects</li> <li>Determine source &amp; application of funds</li> <li>Prepare 5 year capital &amp; operational budgets</li> </ul>
8	Monitor delivery	<ul style="list-style-type: none"> <li>Set rural development key performance indicators</li> <li>Annual monitoring &amp; reporting on delivery</li> </ul>

## 5.2 Inputs Needed to Inform Rural Development Strategies & Land Use Plans

One of the reasons why rural areas have been neglected in IDPs and SDFs, is because municipalities have not been able to source the required inputs to these plans.

Towards improving the credibility of the rural component of IDPs and SDFs, a checklist of sectoral inputs needed is presented below. These inputs inform all 8 stages of the planning process outlined above. As it will take time to collect the required baseline rural data, the rural information base should be built incrementally. Using the checklist below as a guide, municipalities should work with what is currently available, identify information gaps and request the responsible party to supply the required inputs.

The following sectoral inputs should be sought to inform the rural component of IDPs and SDFs:

### (i) Community Development

Whilst demographic and socio-economic community profiles are generally described in most IDPs, greater attention needs to be given to understanding, interpreting and, where practical, mapping:

- rural livelihoods and skills;
- rural settlement patterns and household living conditions;
- access to land and natural resources;
- the incidence and distribution of rural poverty; and
- the extent and effectiveness of current rural community development programs.

Available information should be sourced from statutory authorities responsible for the various facets of community development, and NGOs and CBOs active in the municipality's jurisdiction. Primary research will also be required, at minimum by engaging target beneficiaries in a participatory process in the preparation of the IDP and SDF.

### (ii) Water

The reality of climate change and water deficits in much of the Western Cape necessitates that all municipal IDPs and SDFs give serious consideration to understanding, interpreting and, where practical, mapping:

- the quantity and quality of water available;
- the extent and capacity of rural bulk infrastructure;
- the relationship between current rural land use and water usage patterns;
- the extent to which water limits or can facilitate future rural development – particularly agriculture, taking into account the need to safeguard an ecological reserve; and
- water resource management programs.

Available information should be sourced from the regional office of the Department of Water Affairs & Forestry and/or the applicable regional catchment management agency and water user associations.

### (iii) The Environment

Inputs on both the natural and cultural environment need to inform the preparation of the rural component of IDPs and SDFs.

As a global hot-spot of biodiversity, serious consideration needs to be given to understanding, interpreting and, where practical, mapping the following features of the Western Cape's natural environment:

- the extent of land transformation;
- the functionality of ecosystems and habitats, with consideration to ecological linkages with abutting areas and within the municipal area;



- the diversity, significance and sensitivity of biological resources, and the resultant land use implications;
- current threats to biodiversity and the rural development opportunities natural resources offer;
- conservation priorities and the extent to which these areas currently have statutory protection;
- the contribution of biodiversity to the rural economy, and
- the extent and effectiveness of current programs to consolidate and extend the conservation estate.

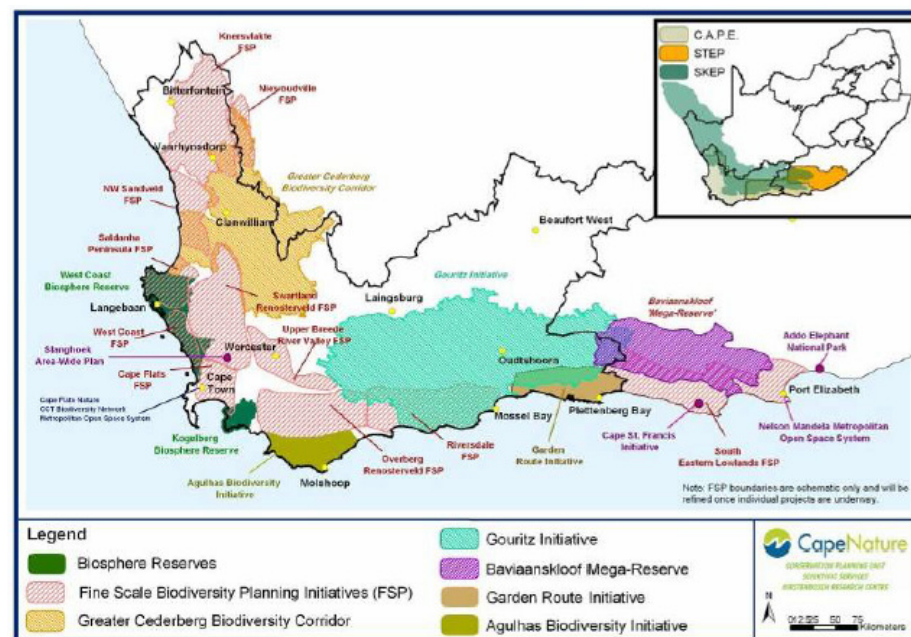
NEMBA provides for the preparation of Bioregional Plans that, once gazetted, must be incorporated into IDPs and SDFs. Whilst SANBI has compiled guidelines for the preparation of Bioregional Plans, to date none are in place. In the interim SANBI, DEA&DP, CapeNature or SANParks should be consulted to ascertain the availability of the required biodiversity sector information.

Possible sources of biodiversity inputs are maps and guidelines which are being produced as part of the CAPE program to mainstream biodiversity into the municipal land use planning system. Critical Biodiversity Area (CBA) maps currently available or in the process of completion, include those municipalities covered by the Cape Fine Scale Biodiversity Planning Project and the Garden Route Initiative.

Other biodiversity plans (or landscape initiatives) are available at various scales within the province (see map opposite), including systematic conservation plans (e.g. CAPE, SKEP, STEP, mega-corridors). These biodiversity plans make use of ecosystem classification (e.g. Critically Endangered, Endangered, Vulnerable & Least Threatened), whilst CBA Maps use ecosystem status as a subset of the categories on the CBA Map (i.e. Critical Biodiversity Area, Other Natural Area etc).

As a general rule, the most recent biodiversity plans at the finest scale should take precedence over earlier broad scale

biodiversity plans. A Provincial Biodiversity Framework is currently being compiled by stitching together all available biodiversity plans (contact CapeNature or BGIS for more information).



Box 2<sup>1</sup> overleaf sets-out key elements of the natural environment and guidelines on interpreting their development and conservation implications.

<sup>1</sup> Adapted from Dewar, Louw, *et al* (2007), Groot Drakenstein – Simondium Valley: Composite Informants and Constraints

Box 2: Interpreting Elements of the Natural Environment	
Element	Guidelines
Landform	<ul style="list-style-type: none"> <li>no buildings or structures on ridgelines</li> <li>avoid transforming land steeper than 1:8</li> <li>avoid buildings or structures on elevated exposed slopes</li> </ul>
Minerals, faults & unstable soils	<ul style="list-style-type: none"> <li>no development over these</li> </ul>
Productive soils	<ul style="list-style-type: none"> <li>conserve high potential &amp; unique agricultural land</li> <li>no development on good agricultural soils or on embedded moderate soils</li> <li>avoid fragmenting homogeneous farming areas</li> </ul>
Flood prone areas	<ul style="list-style-type: none"> <li>no development within 100 year floodplain</li> </ul>
Riverine corridors	<ul style="list-style-type: none"> <li>no development within corridors</li> </ul>
Wetlands	<ul style="list-style-type: none"> <li>no development in these</li> </ul>
Biodiversity	<ul style="list-style-type: none"> <li>conservation and development as per CBA guidelines (see Table 2 in Section 6 for details)</li> </ul>

In terms of the cultural environment consideration needs to be given to understanding, interpreting and, where practical, mapping:

- cultural landscapes, and heritage areas and sites;
- the form giving elements of scenic rural landscapes;
- the contribution of cultural assets to the rural economy, and
- the relationship between the natural and cultural environment.

Available information should be sourced from the South African Heritage Resource Agency (SAHRA) and Heritage Western Cape. As limited information is currently available on rural areas, it may be necessary to commission primary research - at minimum at the level of a rural heritage scan.

Box 3<sup>2</sup> sets-out key elements of the cultural and scenic environment, and guidelines on interpreting their conservation and development implications.

<sup>2</sup> Adapted from Dewar, Louw, *et al* (2007), Groot Drakenstein – Simondium Valley: Composite Informants and Constraints

Box 3: Interpreting Elements of the Cultural & Scenic Environment	
Element	Guidelines
Landscape character	<ul style="list-style-type: none"> <li>identify landscape types or characters for more detailed precinct study</li> </ul>
Archaeology	<ul style="list-style-type: none"> <li>protect important remnants</li> <li>survey at precinct study level</li> </ul>
Historical built form & setting	<ul style="list-style-type: none"> <li>protect &amp; enhance historic built fabric (e.g. farmsteads, werfs, cottages, grave sites, ruins, outbuildings, etc)</li> <li>no or limited development within zones of high sensitivity, subject to precinct level detailed heritage assessment</li> <li>allow demolition of structures of no or limited heritage significance, which detract from that significance</li> <li>reinforce &amp; enhance landscape setting</li> </ul>
Architecture	<ul style="list-style-type: none"> <li>ensure new building of high design quality, craftsmanship and landscaping appropriate to the site and its setting</li> <li>apply sustainable building technologies (see Appendix B for details)</li> </ul>
Planting	<ul style="list-style-type: none"> <li>Protect &amp; enhance planting patterns &amp; trees of stature</li> </ul>
Socio-historic places & patterns of access	<ul style="list-style-type: none"> <li>Allow for continued use of natural places for recreation, spiritual &amp; resource collection purposes</li> <li>Do not block traditional movement desire lines</li> </ul>
Scenic routes	<ul style="list-style-type: none"> <li>No development within buffer strips adjacent to scenic routes or within highly sensitive visual settings</li> </ul>
Views	<ul style="list-style-type: none"> <li>Do not develop in important view-cones or visually obstruct significant landmarks</li> </ul>

#### (iv) Agriculture, Forestry, Fishing & Mining

As the rural economy of the Western Cape is founded on agriculture and food security is a provincial priority, consideration needs to be given to understanding, interpreting and, where practical, mapping:

- homogeneous farming areas (irrigated and dry land cultivation, and grazing), their yields and carrying capacity;
- high potential and unique agricultural land, and its current utilisation;
- agricultural bulk infrastructure and facilities;
- the extent and performance of agricultural support and agrarian reform programs;
- the contribution of agriculture to the rural economy; and

- the relationship between agriculture, water resources and biodiversity.

Available information should be sourced from the regional office of the Department of Agriculture, farming cooperatives and farmer associations.

As the Western Cape forestry sector is being restructured, consideration should be given to understanding, interpreting and, where practical, mapping:

- plantations (existing, new and those to be phased out once harvested);
- forestry bulk infrastructure and facilities;
- the contribution of forestry to the rural economy; and
- the relationship between forestry, water resources and biodiversity.

Available information should be sourced from the regional office of the Department of Water Affairs and Forestry, and MTO Forestry.

Regarding fishing, consideration should be given to understanding, interpreting and, where practical, mapping:

- the extent, yields and carrying capacity of current marine and riverine fishing activities, as well as aquaculture;
- opportunities to extend fishing and aquaculture;
- fishing bulk infrastructure and facilities;
- the contribution of fishing and aquaculture to the rural economy; and
- the relationship between fishing, water resources, and terrestrial, aquatic and marine biodiversity.

Available information should be sourced from Marine and Coastal Management and the Department of Economic Affairs.

As an extractive industry mining impacts on the rural landscape, yet contributes to the rural economy. Consideration should be given to understanding, interpreting and, where practical, mapping:

- the availability of mineral deposits and construction materials;

- areas licensed for mining and prospecting, and previously mined areas that are/require rehabilitation;
- the contribution of mining to the rural economy; and
- the relationship between mining, water resources and biodiversity.

Available information should be sourced from the regional office of the Department of Minerals and Energy and Geological Survey.

#### **(v) Rural Land Holdings, Settlement, Infrastructure and Transport**

Whilst the main urban centres and their infrastructure are usually covered in municipal IDPs and SDFS, greater attention needs to be given to understanding, interpreting and, where practical, mapping:

- the rural cadastre, differentiating between state, private and communally owned farm portions, and identifying land for which restitution claims are pending;
- existing rural land use patterns and how this compares with land use potential;
- the origins, size, structure, distribution and function of settlements in the rural landscape;
- rural housing conditions in settlements and on farms;
- urban-rural spatial linkages;
- land use patterns in the urban fringe;
- rural bulk infrastructure networks and their capacity, with attention to potable water, energy, sanitation and waste disposal, and communications;
- the principal rural movement routes, with attention to the functioning of inter and intra regional linkages, the mobility of the rural community, and the availability of rural public transport; and
- the relationship between rural land use, settlement, infrastructure and transport.

Available information should be sourced from the regional office of the Department of Land Affairs and their Surveys and Land Information office in Mowbray, DEA&DP, DH&LG,

and DPW&T. Box 4<sup>3</sup> sets-out key elements of settlement, infrastructure and routes, and guidelines on interpreting their conservation and development implications.

<b>Box 4: Interpreting Elements of Settlement &amp; Infrastructure</b>	
<b>Element</b>	<b>Guidelines</b>
Regional settlement & route structure	<ul style="list-style-type: none"> <li>integrate new building development within existing settlements &amp; aligned with the route structure</li> </ul>
Bulk infrastructure	<ul style="list-style-type: none"> <li>wherever possible, make use of existing bulk infrastructure</li> <li>avoid new bulk infrastructure investments that will facilitate the urbanisation of the rural landscape</li> <li>promote self sufficiency &amp; sustainable technologies in infrastructure serving new rural developments</li> </ul>
Social facilities	<ul style="list-style-type: none"> <li>wherever possible, reinforce existing rural facilities</li> </ul>

**(vi) The Rural Space Economy**

Consideration should be given to understanding, interpreting and, where practical, mapping the following elements of the rural space economy:

- the primary sector (as detailed in point (iv) above);
- rural industry, highlighting the processing of outputs from the primary sector;
- the rural commercial sector, with attention to investment patterns and goods and services available;
- the rural tourism and recreation sector, with attention to attractions, the tourism plant (nature, cultural and agriculturally based), and inter and intra regional tour routes;
- the rural institutional sector (e.g. military, prisons, education, etc); and
- sectoral linkages between the urban and rural economies.

Available information should be sourced from those listed for the primary sector, as well as the Department of Economic Affairs and Tourism, chambers of industry and commerce, and tourism boards.

<sup>3</sup> Adapted from Dewar, Louw, *et al* (2007), Groot Drakenstein – Simondium Valley: Composite Informants and Constraints

**5.3 Rural Development Programs**

In formulating an integrated development strategy as part of the IDP process, municipalities need to consolidate and align diverse rural initiatives of government, the private sector and civil society. These rural development initiatives typically encompass:

- community development
- local economic development
- land and agrarian reform
- agricultural support
- rural housing and household service delivery (on and off farm)
- infrastructure provision
- rural transport
- public works
- conservation and sustainable natural resource use.

To assist municipalities assemble and package these into an integrated rural development strategy, an inventory<sup>4</sup> of the range of rural development programs is presented overleaf in Table 1.

<sup>4</sup> Some inputs to the Inventory sourced from the Centre for Development Support, University of Free State

**TABLE 1: INVENTORY OF RURAL DEVELOPMENT PROGRAMS**

<b>Name of Program</b>	<b>Description</b>	<b>Target Group/ Implementing Agency</b>	<b>Institutional / Statutory Authority</b>	<b>Comment</b>
<b>1.1 LOCAL ECONOMIC DEVELOPMENT</b>				
(i) Micro Economic Development Strategy (MEDS)	Co-ordinate a wide range of initiatives including the craft, tourism, agricultural and communication sectors.	- Rural communities - Provincial and local authorities	Western Cape Provincial Government (DEDT)	Is a component of the W-Cape's iKapa Eli-Hlumayo Strategy.
(ii) "Red Door" (Real Enterprise Development)	Is a SMME support programme providing a "one-stop shop" to access and seek assistance and access loans for enterprise development.	- Small town communities - CASIDRA	Western Cape Provincial Government (DEDT)	Rural Economic Assistance Fund (REAF) supports the development of pilot projects in rural areas, especially community-based projects which can contribute to building small-town communities (e.g. essential oil, home industries).
(iii) Entrepreneurial Finance Schemes (IDC)	Finance provision aimed at acquisition, promoting production capacity and stimulating new medium-sized enterprises, including agricultural and industrial manufacturing projects.	Emerging entrepreneurs.	Industrial Development Corporation (IDC).	Supports SMME's in manufacturing, tourism, agro-industries and small-scale mining.
(iv) Local Economic Development Fund	Provides funding to municipalities engaged in projects that impact on job creation and poverty alleviation.	Municipalities.	Department of Provincial and Local Government.	Addresses job creation and poverty alleviation.
(v) Khula Start	A micro-credit programme to promote greater access to micro credit by rural communities, particularly historically disadvantaged communities.	Micro credit organisations based in rural and peri-urban areas.	Department of Trade and Industry; Division: Khula Division.	Provides support for the lower end of the micro enterprise sector.
(vi) Sector Partnerships	Promotes collaborative projects that enhance the competitiveness of manufacturing and agri-processing industries.	Any partnership of five or more organisations (e.g. agro-processing).	Department of Trade and Industry	Promotes SMME's.
(vii) WESGRO Programmes	Development corporation focussing on attracting investment and promoting exports. Pursues export development.	Municipalities and agricultural and rural-based entrepreneurs and communities.	WESGRO Municipality	- Provides economic data for district and local municipalities via "Plek Plan" management - Collaborates with Cape Town Routes Unlimited to promote tourism
(viii) Local Economic Development	Promotes local economic development at municipal level	Municipality	Department of Economic Development & Tourism (DEDT)	Focuses on: - Building economic development capacity - Establishing economic development units (EDU's) in municipalities - Obtaining and monitoring key base-data for economic decision-making - Assisting and broadening the IDP's of municipalities

Name of Program	Description	Target Group/ Implementing Agency	Institutional / Statutory Authority	Comment
(ix) "Die Plek Plan"	Provides trained and equipped LED staff in outlying areas	- Entrepreneurs - CBO's - Municipalities	Department of Economic Development and Tourism (DEDT)	Focuses on identifying business opportunities (including international investment and export) in rural areas (e.g. tourism, agri-business, renewable energy, creative industries, etc.)
(x) Technology Transfer for Social Impact	Provides technical assistance in rural project identification and development	- CBO's - Municipalities	CSIR	Identifies and focuses on projects/products supported by local resources and skills (e.g. leather products, essential oil production, hydroponics)
(xi) "1000 x 1000 Campaign"	Loan capital provision	- Unemployed	Department of Economic Development and Tourism (DEDT)	Includes the issuing of R1000 loans to 1000 unemployed persons in order to facilitate business development
(xii) Library Business Corners	Information transfer	- Entrepreneurs - Municipalities	Department of Economic Development and Tourism (DEDT)	Makes economic and business information available in local municipal libraries, including information on SMME training and mentorship opportunities, and export support
<b>1.2 MUNICIPAL INFRASTRUCTURE</b>				
(i) Consolidated Municipal Infrastructure Programme (CMIP)	To further the aim of the RDP through the provision of bulk connection and internal services and facilities in support of poverty disadvantaged areas.	Available to municipalities (Category B).	Department. of Provincial and Local Government; Directorate: Development Planning.	Supports LED Strategies: - Development and maintenance of infrastructure and services. - Identifying gaps in the economy. - Community economic development. - SMME development.
(ii) Expanded Public Works Programme	Programme is directed at job creation, poverty relief and development of rural community infrastructure.	Available to communities through District municipalities.	National Department of Public Works.	Supports local economic development (LED) (e.g. SMME's) and sustained job creation.
(iii) Municipal Services Partnership	To encourage and optimise private sector investment in local authority services on a sustainable basis.	Local authorities.	Department of Provincial and Local Government; Directorate: Development and Planning.	Supports private sector financing of municipal debt, contracting out of services and concessions to operate local authority assets over a defined time period.
(iv) Road Infrastructure Project	A poverty relief programme to upgrade rural access roads, create roadside facilities and provide road safety training.	Municipalities.	South African National Roads Agency.	Supports rural development.
(v) Commonage Infrastructure Programme	Assists municipalities in the provision of infrastructure for the development of commonages	Community groups and municipalities	Department of Land Affairs	Promotes economic development

Name of Program	Description	Target Group/ Implementing Agency	Institutional / Statutory Authority	Comment
<b>1.3 TOURISM DEVELOPMENT</b>				
(i) Tourism Development and Infrastructure, Coastal Management and Waste Management	Funding to assist businesses involved in tourism, infrastructure, coastal management and waste management.	Municipalities, organisations, CBO's, NGO's, etc.	Department of Environment and Tourism (DEAT)	Promoting SMME development, tourism infrastructure and product development, waste management and coastal management.
(ii) Tourism Development and Infrastructure, Coastal Management and Waste Management	Funding to assist businesses involved in tourism, infrastructure, coastal management and waste management.	Municipalities, organisations, CBO's, NGO's, etc.	Department of Environment and Tourism (DEAT)	Promoting SMME development, tourism infrastructure and product development, waste management and coastal management.
(iii) Tourism Enterprise Programme (TEP)	Public-private partnership to facilitate growth and development of SMME's in the tourism sector	- Emerging tourism entrepreneurs - Community-based organisations	Department of Environmental Affairs and Tourism (DEAT) and the Business Trust	- Focuses on income generating opportunities and job creation - Funding provided through the Training and Technical Assistance Fund (e.g. for feasibility studies, marketing, training)
(iv) Integrated Tourism Enterprises Support Programme (ITESP)	Partnership which provides integrated support to tourism SMME's	- Emerging tourism entrepreneurs - Community-based organisations	Western Cape Department of Economic Development and Tourism (DEDT) and the Development Bank of Southern Africa (DBSA)	Focuses on capital provision, skills and tourism market development, and BEE transformation in the tourism industry
(v) Tourism Support Programmes	Promotes tourism development through: - Tourism Outreach Programmes - Tourism Help Desk Agent - Intermediate Tourism Business Management Programme - Fast Track Programme - Advance Training Programme - Cape Town Tourism Showcase	- Emerging tourism entrepreneurs - Community-based organisations	Western Cape Department of Economic Development and Tourism (DEDT)	Programmes focus on: - Introducing tourism to potential operators - Establish help-desks in each district - Offering management courses and mentorship's for operators - Providing a venue for operators to exhibit their services and products
(vi) Cape Town Routes Unlimited	Focuses on marketing and promotion of tourism in the Western Cape Province	- Tourism Sector - Municipalities	Western Cape Provincial Government	Identifies and promotes tourism routes and destinations

Name of Program	Description	Target Group/ Implementing Agency	Institutional / Statutory Authority	Comment
<b>1.4 AGRICULTURAL SUPPORT</b>				
(i) Department of Agriculture (Western Cape) Various Programmes	<ul style="list-style-type: none"> <li>- Agri-business Access</li> <li>- Extension Service</li> <li>- Agri-business and Tourism Development</li> </ul>	<ul style="list-style-type: none"> <li>- Emerging farmers and groups</li> <li>- Disadvantaged communities</li> </ul>	<ul style="list-style-type: none"> <li>- Department of Agriculture (Western Cape)</li> <li>- Agricultural Research Council</li> <li>- Department of Economic Development and Tourism</li> </ul>	<ul style="list-style-type: none"> <li>- Provide training, business, marketing and technical support for agri-business development</li> <li>- Identify production, development and marketing opportunities for developing farming communities</li> <li>- Assist new farmers in capacity building and organisational development</li> <li>- Assist in identification and establishment of new and economically viable agri-processing ventures for disadvantaged communities (e.g. fynbos, essential oils)</li> </ul>
(ii) CASP (Comprehensive Agricultural Support Programme)	Provides agricultural support services to beneficiaries of agricultural programmes	Emerging farmers and community groups	Department of Agriculture (Western Cape)	Support is directed at the following: <ul style="list-style-type: none"> <li>- Information and knowledge management</li> <li>- Technical and advisory assistance</li> <li>- Training and capacity building</li> <li>- Marketing and business development</li> <li>- On-farm and off-farm infrastructure</li> <li>- Financial assistance and production inputs</li> </ul>
(iii) CASIDRA (previously LANOK) Project Programmes	CASIDRA is a public agricultural development entity that facilitates and implements rural community-based development projects in impoverished rural areas	<ul style="list-style-type: none"> <li>- Emerging farmers</li> <li>- Rural communities</li> </ul>	Department of Agriculture (Western Cape)	Projects focus on: <ul style="list-style-type: none"> <li>- Agriculture</li> <li>- Land reform</li> <li>- Rural infrastructure</li> <li>- LED</li> <li>- Human resource development and capacity building</li> </ul>
(iv) Other Programmes	Mafisa Fund	Emerging farmers	Department of Agriculture (Western Cape)	Funding source for agricultural product processing to extend the value chain of primary products
	"Red Door"	Emerging farmers	Western Cape Provincial Government (DED)	Providing market information and business support to new farmers



Name of Program	Description	Target Group/ Implementing Agency	Institutional / Statutory Authority	Comment
<b>1.5 LAND REFORM</b>				
(i) Land Reform Programme	Addresses land and agrarian reform through the following programmes: - Restitution - Redistribution - Tenure Reform	Land reform beneficiary	Department of Land Affairs	Focuses on: - Restoring and compensating for rights lost through forced removal - Responding to land needs of landless victims of apartheid - Upgrading insecure tenure arrangements
(ii) LRAD (Land Redistribution for Agriculture Sub-programme)	Serves to provide grants for beneficiaries to access land specifically for agricultural purposes	Emerging farmers and community groups	Department of Land Affairs and Department of Agriculture (National and Western Cape)	Funding targeted at: - Land acquisition - Land improvements - Information investment - Capital asset acquisition
(iii) ABP (Areas Based Plan)	Serves to entrench land reform (i.e. redistribution, restitution and tenure reform) in the municipal IDP	Municipality	Municipality and Department of Land Affairs	Align land reform projects with other strategic sectors (e.g. biodiversity, LED, socio-economic development programmes)
(iv) PLAS (Pro-Active Land Acquisition Strategy)	Provides for the proactive acquisition of land for land reform purposes (e.g. agriculture, agri-processing, eco-tourism, etc.)	Emerging farmers and community groups	Department of Land Affairs	Allows for land banking of suitable land prior to beneficiary selection and training
(v) SIS (Settlement and Implementation Support Strategy)	Settlement and implementation support to land and agrarian reform	Land reform beneficiary	Department of Land Affairs	Objective is to reduce poverty, enhance livelihood security, boost economic growth and enable security of tenure and sustainable land use through land reform
(vi) Commonage Acquisition Programme	Assists municipalities in acquisition or extension of commonages for community purposes (e.g. agriculture).	Community groups and municipalities	Department of Land Affairs	Promotes access to land and economic development.
(vii) Land Reform Credit Facility	- Financing of commercially viable land transfer projects to previously disadvantaged people (e.g. households, agriculturalists, share-equity partnerships). - Assisting SMME's and entrepreneurs to enhance their export capabilities.	Agriculturalists, SMME's and manufacturers	Department of Trade and Industry and Department of Land Affairs.	Supports SMME development and expansion of existing economic activity.

Name of Program	Description	Target Group/ Implementing Agency	Institutional / Statutory Authority	Comment
<b>1.6 RESOURCE AND ENVIRONMENTAL MANAGEMENT</b>				
(i) LandCare Programme	A community based, government supported, sustainable land management programme. It offers practical assistance to ensure that sustainable land practices are identified, implemented and monitored, primarily by rural communities. Includes water-care, veld-care, soil-care and junior-care programmes	The resource poor, i.e. poor rural communities, NGO's, farmer groups and District Municipalities.	Funded by national Department of Agriculture: Directorate: Resource Management. Implemented by Department of Agriculture : Western Cape	Supports skills development, SMME establishment and fostering of partnerships in the management of resources, as well as sustainable practice awareness programmes and the implementation of community-based soil conservation infrastructure works.
(ii) Working for Water and Working for Wetlands Programme	- Programme aimed at clearing invading plants for socio-economic, biological, hydrological and ecological benefits. - Provision of employment to economically disadvantaged individuals.	Women, youth and people from poverty-stricken single headed households.	Department of Water Affairs and Forestry; Directorate: Water and Conservation.	Promotes environmental upgrading, economic development, skills training and SMME development, tourism, disaster management and agricultural performance.
(iii) C.A.P.E. (Cape Action Plan for People and the Environment)	Network of institutions and partnerships, including government bodies (e.g. DEA & DP, DOA, etc.), which involves communities in conservation efforts, specifically within the fynbos biome	Communities	- Global Environmental Facility (GEF) - South African National Biodiversity Institute (SANBI) - CapeNature - SANParks	Promotion of conservation, establishing conservation corridors through stewardship, creating partnerships to provide jobs, providing incentives for conservation and raising community awareness of conservation. Current programmes include GCBC, ABI, GRI, GI and Cape FSBP
(iv) SKEP (Succulent Karoo Ecosystems Programme)	Similar to C.A.P.E., but focussing on the Succulent Karoo Ecosystem	- Communities - Public – private community partnerships	- Global Environmental Facility (GEF) - South African National Biodiversity Institute SANParks - CapeNature	Promoting the conservation of the Succulent Karoo Ecosystems (e.g. Namaqualand), including research, expanding protected areas and improving conservation management
(v) Skeppies Fund	Makes small grants available to communities to address conservation objectives	Communities	- Cape Nature - DBSA (funding)	Promoting ecosystem education, development of hiking trails, development of culturally-based enterprises
(vi) Conservation Stewardship	Programme encouraging private land owners to become custodians of natural habitats on their properties, with benefits to the landowners	Land owners	CapeNature	Participants and conservation achieved through voluntary participation, including: - Contract Nature Reserves - Biodiversity Agreements - Voluntary Conservation Areas

Name of Program	Description	Target Group/ Implementing Agency	Institutional / Statutory Authority	Comment
<b>1.7 COMMUNITY DEVELOPMENT</b>				
(i) Integrated Sustainable Rural Development Strategy (ISRDP)	Strategy focuses on alleviating poverty and improving quality of life in rural areas through: <ul style="list-style-type: none"> <li>- Implementation and enforcement of LED strategies</li> <li>- Promoting community-based economic development</li> <li>- Extending basic services to farm areas</li> <li>- Facilitating a human settlement strategy</li> <li>- Developing local innovative centres for skills development</li> </ul>	<ul style="list-style-type: none"> <li>- Urban and rural communities</li> <li>- District and B Municipalities</li> </ul>	Department of Provincial Local Government (DPLG) in Pretoria	Identifies ISRDP nodes. Facilitates compilation of Nodal Action Plans. Promotes attracting investment
(ii) Household Food Production and Security Programme	Extension and training services provided to households and community garden beneficiaries	Rural and urban communities	Department of Agriculture (Western Cape)	Programme includes training, extension services and education, as well as the development of a market segment together with possible job creation
(iii) Farm Workers Programme	Serves as a reference framework and information source for farmworkers	Farmworkers	Department of Agriculture (Western Cape)	Provides information regarding labour issues, security of tenure, housing, training and employment contracts for farm workers
(iv) Social and Labour Plan for the Mining and Production Industries	Plan promotes employment and advancement of economic growth and socio-economic development, as well as the management of mine downscaling to minimize impact on individuals, communities, regions or local economies	<ul style="list-style-type: none"> <li>- Employees</li> <li>- Surrounding communities</li> </ul>	Department of Minerals and Energy	Supports transformation in the mining industry and ensures that holders of mineral rights contribute towards socio-economic development of the areas in which they are operating and areas where their labour is sourced
(v) IKHWELO Programme	Through the ABET (Adult Basic Education and Training) Policy, literacy skills are provided to a target group, with a view to uplift their socio-economic well-being.	Public adult learning centres, women, youth, the aged and people with disability.	Department of Education; Directorate: General Education and Training.	Supports capacity building and ability to participate in community development.
(vi) Poverty Alleviation Programme	<ul style="list-style-type: none"> <li>- Identifies designated vulnerable areas and groups in terms of the ISRDP.</li> <li>- Facilitates and implements poverty intervention programmes (e.g. feeding).</li> <li>- Facilitates and implements social development programmes (e.g. sewing groups).</li> </ul>	Vulnerable groups.	Department of Social Services and Poverty Alleviation.	Promotes poverty alleviation and economic development.

## **6. GUIDELINES FOR PREPARING RURAL LAND USE PLANS**

Until the new provincial Land Use Planning Act is promulgated and adopted as the Western Cape's framework land use planning legislation, spatial plans for municipal areas need to be prepared in accordance with the MSA and its SDF regulations. The SDF Manual currently being prepared will provide guidance to municipalities on the required contents of a SDF.

Whilst IDPs set-out the policies, strategies and programs for the development and management of urban and rural areas within a municipality's jurisdiction, the SDF needs to reflect where these should take place on the landscape. Towards facilitating sustainable rural development, guidelines on the preparation of the rural component of a municipal SDF are presented in this section. The guidelines cover: contextualising rural areas; analysing and interpreting the rural spatial structure; and delineating Spatial Planning Categories in the rural landscape.

### **6.1 Contextualising Rural Areas**

Municipal SDFs need to be contextualized in the national, provincial and regional space economies. The following principles set out in the National Spatial Development Perspective (NSDP) are pertinent to rural planning:

- Government has a constitutional obligation to provide basic services (i.e. water, energy, health, education) to all citizens wherever they reside.
- Beyond this obligation, government spending on fixed investment should be focused on localities of economic growth and/or economic potential.
- Efforts to address past and current social inequalities should focus on people, not places. In addition sound rural development planning, aggressive land and agrarian reform, and expansion of agricultural extension services are crucial.
- Future settlement and economic development opportunities should be channelled into activity corridors and nodes that are adjacent to or link the main growth centres.

- District and metropolitan areas should be used as the building blocks of a functional regional space economy.

Municipal SDFs need to align with the Western Cape PSDF, which builds on the NSDP's principles outlined above. Regarding the rural space economy the PSDF prioritises the following rural objectives:

- Supporting land reform.
- Conserving and strengthening the sense of place of important, natural, cultural and productive landscapes, artifacts and buildings.
- Protecting biodiversity and agricultural resources.

Municipal SDFs also need to assess development and conservation imperatives in their rural areas in the context of surrounding regions. In this regard inter-regional linkages in the spatial structure (i.e. ecological, economic, infrastructural, settlement) need to be mapped and interpreted, as per the guidelines set-out in Section 5.2 above. These linkages may be sourced from: the SDFs of neighbouring municipalities; bulk infrastructure plans (e.g. regional water supply schemes); natural resource management plans (e.g. for river catchments); and bioregional initiatives (e.g. CAPE, STEP, SKEP).

### **6.2 Analysing and Interpreting Elements of Rural Spatial Structure**

Towards an understanding of the rural spatial structure and assessing its performance, the findings of the baseline information inputs to IDPs and SDFs described in Section 5.2 need to be synthesised and spatialised. At minimum three composite analysis maps should be produced that consolidate and synthesise the natural environmental factors, the cultural and visual landscape factors, and the public investment structure (i.e. settlement, routes, infrastructure, etc). In terms of interpretation, each map should differentiate between no go areas, tread lightly areas and areas possibly suitable for development. By overlaying these composite maps SDF proposal options become evident.

### **6.3 Delineating Spatial Planning Categories**

The contextualisation of the planning domain, and analysis and interpretation of the elements of the rural spatial structure inform the IDP's integrated development strategy and, in turn, the SDF's proposals.

A municipality's SDF proposals should clearly reflect where in the landscape development should and should not take place.

In accordance with the bioregional planning framework that the Western Cape has adopted, the PSDF calls for SDFs to delineate Spatial Planning Categories (SPCs) that cover the entire municipal domain. SPCs are not development proposals and do not confer development rights. They are rather the tools through which the SDF clarifies the inherent land use suitability of different landscapes. As such the SDF is the framework within which subsequent detailed development plans for specific projects can be formulated.

At minimum the SDF needs to delineate the municipal area into the following SPCs:

- (i) Core
- (ii) Buffer
- (iii) Intensive Agriculture
- (iv) Human Settlement.

To assist those compiling a SDF delineate these SPCs across the municipal landscape, detailed guidelines are presented in Table 2 overleaf. Each SPC is explained in a separate table and guidance is given on:

- A definition of the SPC and clarification of how it fits in with the categorization used in Critical Biodiversity Areas (CBA) Maps produced from fine scale biodiversity plans, other biodiversity plans or Bioregional Plans (see Box 5 for how CBA map categories are aligned with Spatial Planning Categories).
- The purpose/s that the SPC serves.
- The kinds of land uses that could be accommodated in the SPC.
- Where these land uses should be located, and their appropriate form and scale.
- How to spatially delineate the SPC.
- How to rationalise the settlement structure.

CBA Map Category →	Formal Protected Areas	Critical Biodiversity Area (Terrestrial/Aquatic)	Ecological Support Area	Other Natural Areas (large intact remnants especially adjacent to CBA/ESA)	Other Natural Areas (located in an agricultural / transformed matrix)	No Natural Area Remaining
Spatial Planning Category ↓						
CORE 1	•	•				
CORE 2			•			
BUFFER 1				•		
BUFFER 2					•	
INTENSIVE AGRICULTURE						•
SETTLEMENT						•

**TABLE 2.1: GUIDELINES FOR CORE SPCs**

DEFINITION OF CORE SPC	PURPOSE OF CORE SPC	POSSIBLE LAND USE & ACTIVITIES IN THE CORE SPC			CORE SPC DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
<b>Core 1 Areas</b>					
<p>Core 1 Areas are those parts of the rural landscape required to meet biodiversity patterns or ecological processes (i.e. critical biodiversity areas). These include habitats classified as highly irreplaceable, critically endangered, or endangered terrestrial (land), aquatic (rivers, wetlands &amp; estuaries) and marine habitats.</p> <p>These also include areas currently not yet exhibiting high levels of biodiversity loss, but which should be protected and restored in order to ensure biodiversity pattern and ecological process targets/thresholds can be met in the most efficient way possible.</p> <p>Also includes essential biological corridors vital to sustain their functionality.</p> <p>Two components of the rural landscape make up Core 1 Areas:</p> <p>(i) All areas with</p>	<p>(i) Designate which parts of the rural landscape are of highest conservation importance, and if they are currently protected or not.</p> <p>(ii) Informs expansion of the protected area network.</p> <p>(iii) Delineates areas that must be maintained in, or restored to, a natural state in order to sustain biodiversity patterns and processes and the functionality of eco-system services.</p> <p>(iv) Identify areas of land that could serve as biodiversity offset receiving areas.</p> <p>(v) In combination with Core 2 Areas, they spatially define the 'core' of the rural landscape's ecological network.</p>	<p>Essentially 'no-go' areas from a development perspective. Accordingly they should, as far as possible, remain undisturbed by human impact.</p> <p>Conservation management activities such as alien clearing, research and environmental education should be encouraged.</p> <p>Subject to stringent controls the following biodiversity-compatible land uses (i.e. those of very low impact) may be accommodated in Core areas:</p> <ul style="list-style-type: none"> <li>o Non-consumptive low impact eco-tourism activities such as recreation and tourism (e.g. hiking trails, bird and game watching, and visitor overnight accommodation).</li> <li>o Harvesting of natural resources (e.g. wild flowers for medicinal, culinary or commercial use), subject to EMP demonstrating the sustainability of harvesting.</li> </ul> <p>Where Core areas are</p>	<p>No development is permissible in proclaimed Wilderness Areas.</p> <p>Wherever possible, structures associated with activities in Core Areas should preferably be located in neighbouring Buffer areas.</p> <p>Fine-scale environmentally sensitivity mapping should inform the placement of essential buildings or structures in Core areas (e.g. as per SANParks CDF planning process).</p> <p>Where structures associated with biodiversity-compatible activities are located in Core areas, these should preferably be located on currently disturbed footprints.</p> <p>Restrict development in Mountain Catchment Areas in order to maintain their high water yielding and water quality function (e.g. plantations or activities resulting in increased sediment inputs to aquatic systems).</p>	<p>Where buildings and structures in Core Areas are justifiable, "touch the earth lightly" construction principles should be applied to ensure that development is in harmony with the character of the surrounding landscape and to ensure the maintenance of its natural qualities.</p> <p>The receiving environment and aesthetic qualities of an area must be the determinant of the scale and form of development.</p> <p>Good management practices, with small low density footprints, appropriate technology and design concepts (e.g. Enviro-loos, temporary structures, green architecture and use of natural resources).</p> <p>Temporary structures to be preferred (e.g. wooden structures, tents, and/or tree canopy structures, with units carefully dispersed or clustered to achieve least impact. Raised boardwalks preferred or alternatively porous materials and design concepts.</p>	<p>(i) Include all formal Protected Areas.</p> <p>(ii) Include all land designated as Critical Biodiversity Areas (public or private) that should be protected and eventually incorporated into the Protected Areas network.</p> <p>(iii) Where possible incentivise incorporation using the following designations:</p> <ul style="list-style-type: none"> <li>- Private Land; Stewardship Agreements or as a Protected Environment or Nature Reserve i.t.o. NEMA or the Protected Areas Act.</li> <li>- Municipal Land; Nature Reserve i.t.o. NEMA or Protected Areas Act.</li> <li>- Forest Nature Reserves through the National Forest Act and Wilderness Areas i.t.o. of the Wilderness Act.</li> <li>- Title deed</li> </ul>

**TABLE 2.1: GUIDELINES FOR CORE SPCs**

DEFINITION OF CORE SPC	PURPOSE OF CORE SPC	POSSIBLE LAND USE & ACTIVITIES IN THE CORE SPC			CORE SPC DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
<p>formal conservation status (i.t.o. the Protected Areas Act), namely: national parks; provincial nature reserves; designated mountain catchment areas (i.t.o. the Mountain Catchments Areas Act); forestry reserves; wilderness areas; and marine reserves (i.t.o. the Marine Living Resources Act).</p> <p>(ii) Critical Biodiversity Areas (CBA), as identified through a systematic conservation planning process, that have no formal conservation status. These may comprise terrestrial or aquatic habitats, remnants or features that must be conserved to meet national biodiversity pattern or process thresholds.</p>		<p>identified on land that has no formal conservation status (e.g. private farm), no further loss of natural habitat should occur.</p> <p>Given the often high visual or aesthetic value of these landscapes, no large-scale eco-tourism developments to be permitted.</p> <p>Land consolidation should be encouraged and sub-division prohibited.</p>		<p>Stringent management programs for resource harvesting informed by determination of carrying capacity and a management plan to ensure appropriate harvesting techniques and volumes.</p>	<p>restrictions where land has been designated under the Stewardship Program or declared a Nature Reserve or Protected Environment</p>
<b>Core 2 Areas</b>					
<p>This category includes:</p> <p>(i) Areas currently not yet exhibiting high levels of biodiversity loss, but which should be</p>	<p>Manage to restore and sustain eco-system functioning, especially ecological processes (i.e. rivers and seep clusters and their</p>	<p>Biodiversity – compatible and low impact conservation land uses as per Core 1 Areas, but allowing for a limited increase in scale of development in less</p>	<p>As for Core 1 Areas</p>	<p>As for Core 1 Areas</p>	<p>(i) Delineation and inclusion of Critical Ecological Support Areas (i.e. river reaches and their buffers and</p>

**TABLE 2.1: GUIDELINES FOR CORE SPCs**

DEFINITION OF CORE SPC	PURPOSE OF CORE SPC	POSSIBLE LAND USE & ACTIVITIES IN THE CORE SPC			CORE SPC DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
<p>protected and restored in order to ensure biodiversity pattern and ecological process targets can be met in the most efficient way possible.</p> <p>(ii) Ecological Support Areas (ESA) to Critical Biodiversity Areas (i.e. river reaches within priority CBA sub-catchments which prevent degradation of CBA's).</p> <p>(iii) CBA aquatic Buffer areas including CBA catchment areas.</p> <p>(iv) Coastline and coastal processes.</p> <p>(v) River and ecological corridors (those not classified essential as per Core 1 definition).</p> <p>(vi) Mountain Catchment Areas.</p>	<p>respective buffers) in support of wetlands and rivers in Critical Biodiversity Areas.</p>	<p>sensitive areas (provided ecological processes not disrupted). To be informed by environmental sensitivity mapping, transformation thresholds and cumulative impacts. Biodiversity offsets may be necessary in this case.</p> <p>Where existing agricultural activities (e.g. livestock) occur in Core 1 or Core 2 Areas, it needs to be subject to:</p> <ul style="list-style-type: none"> <li>- Lower impact practices</li> <li>- Lower than standard stocking rates</li> <li>- Resting cycles (i.e. rotational grazing)</li> <li>- Wetland &amp; river bank protection to avoid over-grazing, trampling and destabilization</li> <li>- Avoiding areas containing red data species</li> <li>- Limiting "value-adding" to nature-based tourism.</li> </ul> <p>Incentivise consolidation of the conservation estate by:</p> <ul style="list-style-type: none"> <li>- Introducing limited low density rural housing development rights</li> <li>- Financial incentives (i.t.o. the Property Rates Act)</li> <li>- Other incentives (e.g. resource economic approaches)</li> </ul>			<p>significant seep clusters in support of CBA rivers and wetlands).</p> <p>(ii) Coastline outside the urban edge, together with coastal processes to be included.</p>



**TABLE 2.1: GUIDELINES FOR CORE SPCs**

DEFINITION OF CORE SPC	PURPOSE OF CORE SPC	POSSIBLE LAND USE & ACTIVITIES IN THE CORE SPC			CORE SPC DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
		No further extensions of intensive or extensive agriculture  Refer Table 3 for Land use Management Guidelines			

**TABLE 2.2: GUIDELINES FOR BUFFER SPCs**

DEFINITION OF BUFFER SPC	PURPOSE OF BUFFER SPC	POSSIBLE LAND USE & ACTIVITIES IN THE BUFFER SPC			BUFFER SPC DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
<b>Buffer 1 Areas</b>					
Buffer 1 SPC comprises large intact portions and remnants of natural or near natural vegetation not designated as CBA or ESA, especially in proximity/adjacent to CBAs and/or ESA:	<ul style="list-style-type: none"> <li>(i) To restore &amp; maintain ecological processes.</li> <li>(ii) To retain landscape scale biodiversity corridors</li> <li>(iii) To strengthen the conservation and extensive agricultural economies through;                             <ul style="list-style-type: none"> <li>- incentivising the consolidation and maintenance of extensive agricultural units; and</li> <li>- broadening the agricultural economic base through farm diversification of use and revenue generation (e.g.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(i) Conservation activities as per Core 1 and 2 Areas including sustainable consumptive or non-consumptive uses.</li> <li>(ii) Biodiversity compatible land uses as informed by transformation thresholds, including:                             <ul style="list-style-type: none"> <li>- Low density Rural Residential Development</li> <li>- Resort and holiday accommodation</li> <li>- Tourist and recreational facilities</li> <li>- Additional dwelling units</li> </ul> </li> <li>(iii) Development (e.g. structures) in support of both tourism and biodiversity conservation in Core</li> </ul>	<ul style="list-style-type: none"> <li>(i) Development to target existing farm precincts and disturbed areas, with the employment of existing structures and footprints to accommodate development.</li> <li>(ii) Extensive developments (e.g. caravan and camping sites) be restricted to sites of limited visual exposure and sites not prominent in the landscape.</li> <li>(iii) Consolidation and maintenance of Buffer Area land units should be promoted, especially when in private ownership, through encouraging voluntary stewardship</li> </ul>	<ul style="list-style-type: none"> <li>(i) Development to reinforce farm precinct and reflect similar vernacular in terms of scale, form and design.</li> <li>(ii) In the absence of existing farmsteads, development to reflect compact and unobtrusive nodes, conforming to local vernacular in terms of scale, form and design.</li> <li>(iii) Development design (e.g. resort) to embrace the spatial form, movement patterns, building design and conservation and ecology of the area through:                             <ul style="list-style-type: none"> <li>- Maintaining the dominance of the</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>(i) All land designated as Large intact portions/r remnants of natural or near natural vegetation not designated as CBA or ESA, especially in proximity/adjacent to CBAs and/or ESA including:                             <ul style="list-style-type: none"> <li>- rivers and wetlands (together with their buffers)</li> <li>- vulnerable and least threatened vegetation types</li> <li>- significant water yield areas, and</li> <li>- significant groundwater recharge and discharge areas</li> </ul> </li> <li>(ii) Corridors (river,</li> </ul>

**TABLE 2.2: GUIDELINES FOR BUFFER SPCs**

DEFINITION OF BUFFER SPC	PURPOSE OF BUFFER SPC	POSSIBLE LAND USE & ACTIVITIES IN THE BUFFER SPC			BUFFER SPC DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
	farm tourism) (iv) To buffer Ecological Support Areas (including CBA Buffer Areas) which support Critical Biodiversity Areas. (v) To enhance biodiversity through innovative agricultural practices (e.g. veld management) and rehabilitation of previously disturbed agricultural land. (vi) To buffer against the impacts of climate change.	Areas preferably be located in Buffer 1 and 2 if logistically feasible. (iv) Extensive agriculture comprising extensive game and livestock farming, subject to the following: - Lower impact practices be favoured (e.g. indigenous game farming as opposed to domestic livestock production) - Lower than standard stocking rates be employed - Resting cycles (i.e. rotational grazing) be employed - Buffer areas be protected from over-grazing and trampling in order to avoid wetland shoreline and river bank erosion and destabilization - Avoidance of areas containing red data species - Strictly limited "value-adding" through intensified tourism (e.g. resort or recreational facilities) or consumptive uses (e.g. hunting) (v) Extension of extensive	together with incentives (e.g. alienable property rights and opportunities in terms of the Property Rates Act).	natural and agricultural landscapes - Maintaining and enhancing natural continuities of green spaces, riverine corridors and movement - Maintaining dominant landscape features and their continuity (e.g. ridge lines, valleys) - Protecting conservation-worthy places and heritage areas (e.g. farmsteads)	vegetation, habitat) necessary to promote and sustain ecological processes.

**TABLE 2.2: GUIDELINES FOR BUFFER SPCs**

DEFINITION OF BUFFER SPC	PURPOSE OF BUFFER SPC	POSSIBLE LAND USE & ACTIVITIES IN THE BUFFER SPC			BUFFER SPC DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
		<p>agriculture may be accommodated if accompanied with biodiversity offsets, with receiving areas for such offsets being on-site or in other Core 1 areas.</p> <p>Refer Table 3 for Land Use Management Guidelines</p>			
<b>Buffer 2 Areas</b>					
<p>This category includes areas designated as Other Natural Areas, located in an extensive and/or intensive agriculture matrix (i.e. livestock production) as the dominant land use</p>	<p>(i) Manage for sustainable development of current land use in the area.</p> <p>(ii) Protect existing agricultural activity (i.e. livestock production) to ensure food security, contribution to the regional economy, maintenance and management of rural areas and contributing and to the working agricultural and cultural landscape.</p> <p>(iii) Facilitate agricultural diversification and non-agricultural opportunities (e.g.</p>	<p>(i) Activities and uses directly relating to the primary agricultural enterprise</p> <p>(ii) Farm buildings &amp; activities associated with the primary agricultural activity, including a homestead, agricultural buildings and worker accommodation</p> <p>(iii) Additional dwelling units, including:</p> <ul style="list-style-type: none"> <li>- units approved under the agricultural-land policy equating to 1 additional non-alienable dwelling unit per 10ha to a maximum of 5 per agricultural unit</li> <li>- units permissible in terms of Rural Residential Development</li> </ul>	<p>(i) Location of primary agricultural activities (e.g. livestock production) to be informed by the exclusion of steep slopes, wetlands, floodplains of rivers and streams (and associated buffers), as well as areas of remnant vegetation</p> <p>(ii) Development in support of primary cultivation (e.g. product handling and processing) to be located within or peripheral to the farmstead precinct or as distinct clusters at farm outposts.</p> <p>(iii) Development associated with farm diversification or “value adding” should:</p> <ul style="list-style-type: none"> <li>- not result in excessive</li> </ul>	<p>(i) Development of the primary agricultural enterprise (e.g. livestock production) to comply with existing guidelines for extensive agriculture, including:</p> <ul style="list-style-type: none"> <li>- Carrying capacity;</li> <li>- veld management and soil erosion control; &amp;</li> <li>- agricultural setback on wetlands, rivers and streams as per CARA regulations.</li> </ul> <p>(ii) Building development to reflect the style, scale, form and the significance of the farmstead precinct or farm outpost, their buildings and setting</p> <p>(iii) In the absence of existing farmsteads or outposts, development to reflect compact and unobtrusive nodes,</p>	<p>All other natural areas that are located in an agricultural matrix, including:</p> <ul style="list-style-type: none"> <li>- Existing extensive agricultural areas</li> <li>- All areas considered suitable for current and future extensive agricultural activities as identified in the LandCare/Area-Wide Planning Programme</li> <li>- All areas of endangered vegetation that are not included in a CBA or ESA,, including</li> </ul>

**TABLE 2.2: GUIDELINES FOR BUFFER SPCs**

DEFINITION OF BUFFER SPC	PURPOSE OF BUFFER SPC	POSSIBLE LAND USE & ACTIVITIES IN THE BUFFER SPC			BUFFER SPC DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
	<p>game farming, tourist facilities) and "value-adding" to the primary product (e.g. cheese-making).</p> <p>(iv) Accommodate space extensive and nuisance urban uses, and extensive agricultural uses (e.g. waste water treatment plants, piggeries, mushroom growing plants, etc.).</p> <p>(v) Enhance biodiversity through innovative agricultural practices (e.g. veld management).</p> <p>(vi) Minimize fragmentation of remaining natural habitats and corridors.</p> <p>(vii) Reverse lost biodiversity in order to reinstate buffer zones and corridors.</p> <p>(viii) Rehabilitate degraded areas (e.g. agricultural, mining).</p>	<p>(iv) Additional land uses to facilitate diversification and "value adding" including:</p> <ul style="list-style-type: none"> <li>- Small-scale holiday accommodation (farmstay, B&amp;B, guesthouse, boutique hotel,);</li> <li>- restaurant, lifestyle retail, venue facility;</li> <li>- farmstall &amp; farmstore;</li> <li>- home occupation</li> <li>- local product processing (e.g. cheese-making)</li> <li>- tourist &amp; recreational facilities (e.g. hiking trail, 4x4 routes)</li> </ul> <p>(iv) No fragmentation of farm cadastral unit, with spot zoning and consent uses employed to accommodate non-agricultural uses</p> <p>(v) On-farm settlement of farmworkers, using existing housing stock or upgraded hostels</p> <p>(vi) Buffer 2 Areas within the "fringe" of urban settlements to accommodate the following uses not suited to location within the urban edge:</p> <ul style="list-style-type: none"> <li>- space extensive requirements (e.g. regional sports &amp; recreation facilities,</li> </ul>	<p>expansion and encroachment of building development and land use into the farm area; and</p> <ul style="list-style-type: none"> <li>- not be located in visually exposed areas given the extensive landscape of extensive farming areas</li> </ul> <p>(iv) Development (i.e. farm diversification or "value-adding") to be located within or peripheral to the farmstead precinct or outposts and should be accommodated in re-used, converted or replaced farm buildings (i.e. existing footprint) or to target disturbed areas</p> <p>(v) Location of additional development to be informed by existing farm road access and existing on-line services network</p> <p>(vi) Buffer 2 areas within the "fringe" of urban settlements to be determined through an integrated urban fringe study to determine their extent and suitability for accommodating space extensive and nuisance agricultural and urban uses.</p>	<p>(iv) Development design (e.g. resort) to maintain and enhance the dominance of the agricultural landscape, continuation of green spaces, riverine corridors, and dominant landscape features (e.g. ridge lines)</p>	<p>remnants</p> <p>Corridors (river, and biodiversity), wetlands natural habitats</p>

**TABLE 2.2: GUIDELINES FOR BUFFER SPCs**

DEFINITION OF BUFFER SPC	PURPOSE OF BUFFER SPC	POSSIBLE LAND USE & ACTIVITIES IN THE BUFFER SPC			BUFFER SPC DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
		tourist facilities) - nuisance and buffer requirements (e.g. waste water treatment plants, cemeteries, solid waste disposal sites, airports, feedlots, quarries and mines, truck stops)  Refer Table 3 for Land Use Management Guidelines			

**TABLE 2.3: GUIDELINES FOR INTENSIVE AGRICULTURE SPCs**

DEFINITION	PURPOSE OF INTENSIVE AGRICULTURE SPC	POSSIBLE LAND USE & ACTIVITIES IN INTENSIVE AGRICULTURE SPC			SPC DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
<p>The Intensive Agriculture SPC comprises a consolidation of the existing and potential intensive agricultural footprint (i.e. homogeneous farming areas made up of cultivated land and production support areas).</p> <p>The Intensive Agriculture SPC includes:</p> <p>(i) Irrigated crop cultivation (annual &amp; perennial)</p> <p>(ii) Dry land crop cultivation including tillage of non-irrigated crops (annual &amp; perennial)</p> <p>(iii) Timber plantations</p>	<p>(i) Consolidating &amp; protecting existing &amp; potential agricultural landscapes.</p> <p>(ii) Facilitating sustainable agricultural development, land and agrarian reform, and food security.</p>	<p>(i) Activities and uses directly related to the primary agricultural enterprise.</p> <p>(ii) Farm buildings and associated structures (e.g. homestead, barns, farm worker accommodation, etc).</p> <p>(iii) Additional dwelling units approved under the policy of 1 additional non-alienable dwelling unit per 10ha, up to a maximum of 5 per farm</p> <p>(iv) Ancillary rural activities of appropriate scale that do not detract from farming production, that diversify farm income, and add value to locally produced products, e.g:</p> <ul style="list-style-type: none"> <li>- small-scale rural holiday accommodation (e.g. farmstay, B&amp;B, guesthouse, boutique hotel);</li> <li>- restaurant, rural lifestyle retail; function venue facility;</li> <li>- farmstall and farmstore;</li> <li>- home occupation (farm product processing);</li> <li>- local product processing (e.g. winery, olive pressing); and</li> <li>- rural recreational facilities (e.g. riding school)</li> </ul> <p>(v) Ancillary on-farm activities in an Intensive Agriculture SPC will be impacted on by surrounding farming activities (e.g. dust generation, spray drift, etc), and these impacts are not grounds for restricting farming production.</p>	<p>(i) The location of agricultural activities will be dictated by local on-farm agro-climatic conditions (e.g. soils, slope, etc.), but wetlands, floodplains &amp; important vegetation remnants should be kept in a natural state.</p> <p>(ii) Ancillary activities should be located within or peripheral to the farmstead precinct (preferably in re-used or replaced farm buildings and disturbed areas), not on good or moderate soils, and linked to existing farm road access and the services network.</p>	<p>(i) Farming to be undertaken in accordance with existing guidelines regarding slope, setbacks around wetlands and streams, etc (as per CARA Regs).</p> <p>(ii) Facilities for ancillary on-farm activities should be in scale with and reinforce the farmstead precinct, enhance the historic built fabric and respect conservation-worthy places.</p> <p>(iii) Landscaping should complement existing planting patterns.</p> <p>(iv) Fragmentation of farm cadastral unit should be prevented, and consent uses and spot zoning employed for managing ancillary on-farm</p>	<p>The SPC should be delineated to consolidate farming landscapes.</p> <p>Land suitable for intensive agriculture should be included, such as:</p> <ul style="list-style-type: none"> <li>• Existing intensive agricultural superblocks,</li> <li>• areas of High Potential and Unique Agricultural Land (HPUAL),</li> <li>• areas in between of lower agricultural potential that are not Core or Buffer SPCs,</li> <li>• areas identified in the Land Care/ Area-Wide Planning Programs,</li> <li>• areas having irrigation rights or future irrigation potential, and</li> <li>• land suitable for small-scale</li> </ul>

		<p>(vi) Large scale resorts, and tourist and recreation facilities should not be accommodated within Intensive Agriculture SPCs as they detract from the functionality and integrity of productive landscapes.</p> <p>(vii) Intensive-feed farming should not be accommodated in Intensive Agriculture SPCs due to their operational impacts (e.g. odour and traffic).</p> <p>(viii) Nurseries in Intensive Agriculture SPCs should limit propagation to local crop types</p> <p>Refer Table 3.2 for Agricultural Land Use Management Guidelines</p>		<p>activities.</p> <p>(v) Consolidation of cadastral units should be promoted, especially where farms have conservation-worthy natural remnants (see Appendix A for Conservation Stewardship Options).</p>	<p>farming in close proximity to settlements.</p>
--	--	--	--	--	---

**TABLE 2.4: GUIDELINES FOR SETTLEMENT SPCs**

DEFINITION	PURPOSE OF SETTLEMENT SPC	POSSIBLE LAND USE & ACTIVITIES IN SETTLEMENT SPC			DELINEATION GUIDELINES
		What kinds of activities?	Where to locate?	Appropriate Form & Scale	
<p>This category includes all existing cities, large and smaller towns, villages and hamlets, and all forms of new human settlements.</p>	<p>To develop &amp; manage existing and new settlements on a sustainable basis.</p> <p>Where-ever possible existing settlements should be used to accommodate non-agricultural rural development activities and facilities. This is for reasons of:</p> <ul style="list-style-type: none"> <li>- local economic development;</li> <li>- consolidating, integrating and reinforcing settlement structure;</li> <li>- improving service delivery;</li> <li>- strengthening rural-urban linkages;</li> <li>- promoting socio-economic development; and</li> <li>- increasing thresholds for service delivery and social facilities</li> </ul> <p>In line with the principles of the Provincial Growth and Development Strategy, new settlements in the rural landscape should only be established in essential circumstances (e.g. power station, mine, etc.).</p>	<p>(i) Agricultural activities of excessive scale and non-agricultural activities not suited for location in the Intensive Agricultural and Buffer 1 and 2 Areas to be located within settlements or their "fringe areas". These activities include:</p> <ul style="list-style-type: none"> <li>- Off-farm residential development and farm worker accommodation (e.g. in "agricultural suburbs")</li> <li>- Agricultural industry (e.g. wine bottling plant) and regional product processing (e.g. fruit cannery)</li> <li>- Institutions (e.g. jail or rehabilitation centre)</li> <li>- Agricultural colleges and schools</li> <li>- Large-scale tourist accommodation (e.g. hotel) and facilities (e.g. waterpark)</li> <li>- Service trades</li> <li>- Footloose business, including farming co-operatives, agricultural requisites and filling stations</li> </ul> <p>(ii) New settlements should be restricted to:</p> <ul style="list-style-type: none"> <li>- Servicing of geographically isolated farming areas;</li> <li>- servicing rural resource exploitation (e.g. mine);</li> <li>- proclaiming the urban component of existing Act 9 and church settlements (e.g. Wupperthal, Genadendal), and</li> <li>- servicing significant infrastructural developments (e.g. new power plant) situated in an isolated location.</li> </ul>	<p>Non-agricultural related land uses and activities associated with rural development initiatives should, where-ever possible, be located in existing settlements. Preference should be given to settlements along dominant routes and accessible to bulk services corridors. The SDF and its urban edge component should define areas suitable for the expansion of existing settlements. Visual impact considerations should be taken into account, especially within settlement gateways.</p> <p>Where new settlements need to be established, consideration needs to be given to:</p> <ul style="list-style-type: none"> <li>- Environmental impact (e.g. waste management)</li> <li>- Visual impact, especially on the rural landscape</li> <li>- Historical settlement patterns and form</li> <li>- Natural landscape and topographical form as design informants</li> </ul>	<p>New buildings and structures should conform with the massing, form, height and material use in existing settlements.</p> <p>When accommodating development in existing settlements the following principles should be adhered to:</p> <ul style="list-style-type: none"> <li>- Retain the compact form of smaller settlements;</li> <li>- maintain and enhance public spaces;</li> <li>- reinforce the close relationship of settlements to the regional route structure;</li> <li>- integrate new development into the settlement structure; and</li> <li>- respect socio-historical and cultural places.</li> </ul>	<p>(i) All settlements as delineated by their interim and/or medium-term urban edges.</p> <p>(ii) Urban "fringe areas" as denoted within Buffer 2 Area immediately peripheral to urban edges.</p> <p>(iii) Use CBA and HPUAL mapping to inform delineation.</p>



## 7. GUIDELINES FOR MANAGING RURAL LAND USE CHANGE

The following principles underpin the Western Cape's rural land use management guidelines:

- Decisions on rural development applications should be based on the following sustainable land use principles:
  - social inclusion,
  - effective protection and enhancement of the environment,
  - prudent use of natural resources, and
  - maintaining high and stable levels of economic growth.
- Good quality and carefully sited development should be encouraged in existing settlements.
- Accessibility should be a key consideration in all development decisions.
- New building development in the open countryside away from existing settlements should be strictly controlled regarding scale and dimension, height, colour, roof profile, etc.
- Priority should be given to the re-use of previously developed sites in preference to greenfields sites.
- All development in rural areas should be well developed and inclusive, in keeping and scale with its location, and sensitive to the character of the rural landscape and local distinctiveness.

Towards a logic and consistency in how the pressures for rural land use change are managed in the Western Cape, Table 3 sets-out detailed guidelines for the spectrum of rural land uses. For each rural land use the following topics are covered:

- the land use objective/s;
- locational guidelines (at landscape and farm levels) for accommodating the activity;
- existing and proposed norms and standards for each land use, as well as action required to implement the proposals; and
- specific management guidelines.

The provincial approach to managing development pressures for the rural land uses covered in Table 3 may be summarised as follows:

- 3.1 *Conservation:*  
Biodiversity, heritage and scenic resources all form part of the rural conservation agenda, both at landscape and farm scales. The approach is to formally protect priority conservation areas, establish ecological linkages across the rural landscape, and mainstream a conservation ethic into all rural activities.
- 3.2 *Agriculture*  
As base of the Western Cape's rural economy, the provincial approach is to: promote consolidation of farming landscapes and prevent their fragmentation; provide for land and agrarian reform; improve the viability of farming by facilitating diversification of the farm economy; and promote sustainable farming practises.
- 3.3 *Holiday accommodation*  
Given the Western Cape's unique rural communities and landscapes, tourism offers exciting prospects to diversify and strengthen the rural economy. Accordingly the provincial approach is to facilitate the provision of a variety of holiday accommodation across the rural landscape that is in keeping with the local character.
- 3.4 *Rural housing*  
Towards integrated rural development and sustainable human settlements in the Western Cape, new housing development beyond the urban edge urgently needs to be curtailed. The provincial approach is to channel pressures for residential development to existing towns, villages and hamlets. The only two exceptions put forward for housing development in the rural landscape are: providing 'on-and-off farm' security of tenure for farm workers; and providing restricted residential rights to incentivise the consolidation of rural properties of high biodiversity value and their incorporation into the conservation estate.
- 3.5 *Tourist and recreation facilities*  
Towards diversifying the Western Cape's rural economic base into the tourism and recreation sectors, and developing these sectors on a sustainable and equitable basis – the provincial

approach is to facilitate appropriate investment in these sectors across the rural landscape.

### 3.6 *Rural business*

Towards strengthening the rural economy, the provincial approach is to facilitate the development of businesses serving the needs of rural communities and tourists, as well as agricultural production, in suitable locations throughout the landscape.

### 3.7 *Rural industry*

Towards strengthening the rural economy, the provincial approach is to facilitate the development of rural industrial activity in suitable locations and at appropriate scale. Rural industrial activity includes: processing local and regional farm production; extracting minerals; processing natural resources; and servicing agriculture, mining, conservation and local tourism.

### 3.8 *Smallholdings*

Whilst rural land needs to be made available for small scale agricultural production (i.e. allotments), the provincial approach is to prevent further development of extensive residential lifestyle properties (i.e. smallholdings) in the rural landscape. Smallholdings could be established on suitable land inside the medium to longer term urban edge.

### 3.9 *Community facilities and institutions*

The approach is that community facilities serving rural communities should be located within or adjacent to existing settlements.

### 3.10 *Infrastructure installations*

Bulk infrastructure installations are public investments serving the broader community (i.e. both urban and rural). Because of their need for extensive space, unique locational requirements, or negative impact on surrounding areas – they often are located outside the urban edge. The provincial approach is to ensure that these essential public installations can function effectively in suitable rural locations (i.e. settlements or Buffer 2 SPCs).

### 3.11 *New settlement*

The approach is to channel, where-ever possible, settlement development pressures into the Western Cape's cities, towns, villages and hamlets, and apply the Isidima principles for sustainable human settlements to manage growth. Only in essential circumstances should new settlements of appropriate scale and compatibility be considered within the rural landscape.

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
<b>3.1 CONSERVATION</b>						
(i) To protect and conserve important terrestrial, aquatic (rivers, wetlands and estuaries) and marine habitats, as identified through a Critical Biodiversity Areas (CBA) mapping exercise or similar conservation planning process.	Landscape level rural conservation priorities should be determined through a CBA mapping exercise (or similar conservation planning exercise), as well as through an assessment of the significance and sensitivity of cultural and scenic landscapes.  See Biodiversity Offsets Manual for guidelines on the applicability of offsets in different natural landscapes.	See Appendix A for farm level guidelines on the Conservation Stewardship program.	(i) Mechanisms for formally protecting areas of endangered and irreplaceable biodiversity include: - <i>Private Land:</i> Options are Stewardship Contract Nature Reserves, Biodiversity Agreements, Protected Environment , or Nature Reserve (i.t.o. NEMA or Protected Areas Act) - <i>Municipal Land:</i> Nature Reserve (i.t.o. NEMA or Protected Areas Act) - Forest Nature Reserves (through the National Forest Act) and Wilderness Areas i.t.o. (Wilderness Act) - Title deed restrictions where land has been designated under the Stewardship Programme or declared a Nature Reserve or Protected Environment	(i) Application of a broader range of zoning categories to facilitate conservation usage, together with appropriate primary and consent uses, including: - Conservation Zone 1: Wilderness Area (Con 1) to provide for the conservation of predominantly natural, remote and environmentally unspoilt areas (i.e. proclaimed). Primary use being wilderness conservation. - Conservation Zone 2: Statutory Conservation (Con 2) to provide for proclaimed nature reserves. Primary use being statutory nature conservation, with consent uses (e.g. tourist facilities) in terms of an environmental management plan to support and supplement the main objective of this zone - Conservation Zone 3: Non-statutory Conservation (Con 3) to provide for the conservation of natural resources in areas that	(i) Employ zoning scheme regulations as per Conservation and Open Space Zones contained in the Provincial Zoning Scheme Model By-Law (2004).  (ii) Enforce heritage resource protection and conservation in terms of the Natural Heritage Resources Act (Act 25 of 1999).  (iii) Employ: - LandCare program (e.g. soil conservation) - Working for Water - Working for Wetlands - Working for Fire  (iv) Employ range of Conservation Stewardship programs.  (v) Implement	(i) Effectively manage invasive alien species, fires, grazing & harvesting without damaging the natural veld.  (ii) Employ and enforce current conservation policy, criteria and requirements in accordance with regulations and policies, including: - Protected Areas Act - NEMA - Biodiversity Act - Supporting Policy recommendations in the PSDF Objective for Protection of Biodiversity and Agricultural Resources, and specifically Core Areas and Buffer Areas
(ii) To facilitate the formal protection of priority conservation areas (public and private), as well as the conservation of natural habitats that are not formally proclaimed nature reserves.			(ii) Mechanisms for protecting natural			
(iii) Towards						

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
<p>mitigating against the impacts of climate change, to establish ecological corridors across the rural landscape.</p> <p>(iv) To protect the scenic qualities of the Western Cape’s cultural, natural and working rural landscapes.</p> <p>(v) To protect the Western Cape’s rural ‘sense of place’ and structures of heritage and archaeological significance, and ensure that new development respects cultural landscapes and sites.</p>			<p>areas which have no formal protection include: Conservation Stewardship (including “Biodiversity Agreements” negotiated with a landowner); or “Voluntary Conservation Areas”.</p> <p>(iii) The National Heritage Resources Act (Act 25 of 1999) provides for protection of heritage resources of cultural significance.</p> <p>(iv) Primary and consent uses for the following zones as per the Section 8 Regulations; including:</p> <ul style="list-style-type: none"> <li>- Open Space Zone 1; Public Open Space</li> <li>- Open Space Zone 2; Private Open Space</li> <li>- Open Space Zone 3; Nature Reserve</li> </ul> <p>(v) A range of community-based conservation programmes, including Land Care, Working for Water, Wetlands, Fire, etc.</p>	<p>have not been proclaimed as nature areas. Primary use being nature conservation and sustainable resource usage, with consent uses (e.g. tourist facilities) in terms of an environmental management plan to support and supplement the main objective of this zone. Such areas must be declared as a conservation area, with the title deed endorsed with the appropriate restrictions and a biodiversity agreement being in place. (Provincial Zoning Scheme Model By-Law, 2004)</p> <p>(ii) Preparation of an Environmental Management Plan.</p> <p>(iii) Land use approval to include/specify land use restriction and development management provisions for the property (ies) to be conserved, in accordance with an approved environmental management plan.</p>	<p>biodiversity offsets program.</p>	

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
				(iv) Application of biodiversity offsets, where appropriate (see Biodiversity Offsets Manual for specific guidelines).		
<b>3.2 AGRICULTURE</b>						
<ul style="list-style-type: none"> <li>- Protect agriculture as a dominant land use in the rural landscape.</li> <li>- Restrict the fragmentation of agricultural landscapes and promote their consolidation.</li> <li>- Maintain viable agricultural units and encourage sustainable farming practices.</li> <li>- Provide for small-scale farming and facilitate land &amp; agrarian reform</li> <li>- Accommodate nuisance and space extensive agricultural enterprises</li> </ul>	<p>Accommodate agriculture in the following SPCs (see Table 2 for details):</p> <ul style="list-style-type: none"> <li>- Intensive Agriculture</li> <li>- Buffer 1</li> <li>- Buffer 2</li> </ul> <p>Delineate Intensive Agriculture SPCs (as per guidelines in Table 2.3) and manage to retain their functionality and integrity as farming landscapes.</p> <p>Within Intensive Agriculture SPCs reserve areas for small-scale farming and emerging farmer establishment that are in close proximity to towns and villages, and along rural</p>	<ul style="list-style-type: none"> <li>(i) On-farm intensive production should respond to agro-climatic conditions (e.g. soil, water availability, slope, etc.).</li> <li>(ii) On-farm extensive production should respond to the ecological and economic sustainability of rangeland livestock farming practices as determined by stocking rates, and the occurrence and quality of the veld.</li> <li>(iii) Farm buildings should be clustered within the farmstead precinct and, in extensive farming areas, at outposts.</li> <li>(iv) Buildings accommodating ancillary on-farm</li> </ul>	<ul style="list-style-type: none"> <li>(i) Subdivision of agricultural land as per current "Guidelines for the Subdivision of Agricultural Land in the Western Cape" of the Department of Agriculture: Western Cape. These stipulate the optimum unit size, irrigation water requirement (if applicable) and livestock carrying capacity.</li> <li>(ii) Primary and consent uses for Agriculture Zone 1, as per Section 8 Regulations.</li> </ul>	<ul style="list-style-type: none"> <li>(i) Apply current farm subdivision guidelines.</li> <li>(ii) Undertake feasibility studies for proposed new small-scale farming units, for approval by the District Assessment Committee (DAC) who adjudicate land restitution or redistribution projects.</li> <li>(iii) Apply the consent use procedure to accommodate ancillary on-farm activities that do not detract from the functionality and integrity of farming landscapes (see Table 2.3 for a list of appropriate activities and refer to Agriculture Zone 1 : Agriculture (AGR1) as per Provincial Zoning Scheme Model By-Law (2004)).</li> <li>(iv) In adjudicating consent use applications ensure that applicant submits a precinct development plan and that proposals are subject to public review</li> </ul>	<p>Amend Provincial Zoning Scheme Model By-Law to allow for the following additional primary uses in Agricultural Zone 1: bed &amp; breakfast establishment and backpackers hostel when existing buildings are employed; home occupation; and conservation.</p> <p>Amend Provincial Zoning Scheme Model By-Law to allow for the following additional consent uses in Agricultural Zone 1: holiday accommodation and boutique hotel.</p> <p>Retain agricultural zoning, and employ consent use to facilitate appropriate ancillary on-farm</p>	<ul style="list-style-type: none"> <li>• Maintain agriculture as primary land use and enforce SALA, CARA &amp; NWA regulations.</li> <li>• Facilitate appropriate land tenure arrangements (i.e. freehold and leasehold (&lt; 10 years for 3<sup>rd</sup> party business ownership)).</li> <li>• Promote sustainable farming, e.g.: <ul style="list-style-type: none"> <li>- retain natural corridors and buffers;</li> <li>- avoid areas containing endangered species;</li> <li>- restore and conserve natural vegetation;</li> <li>- use organic fertilizers &amp; eco-</li> </ul> </li> </ul>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
<p>(e.g. feedlots).</p> <p>- Improve the economic viability of farms through intensification, diversification, and "value adding".</p>	<p>movement routes.</p> <p>Accommodate extensive agriculture on land in Buffer 1 &amp; 2 SPCs that is not designated for conservation purposes.</p> <p>Accommodate "nuisance" and space extensive agricultural enterprises (e.g. intensive feed-lots, poultry battery houses) within the extensive agricultural areas (i.e. Buffer 2), and in close proximity to regional routes (including rail).</p>	<p>activities (e.g. guest house) should be located within the farmstead precinct, preferably using existing structures. Where new buildings are erected these should be on previously disturbed footprints within or adjacent to the farm werf.</p> <p>(v) The farmstead precinct should be landscaped to enhance existing planting patterns (e.g. windbreaks, avenues, etc.), with attention to water-wise gardening methods.</p>		<p>including notices in the local press and notification of all adjoining land owners</p> <p>(v) Apply stricter building controls for farm buildings and structures (i.e. height, floor space, building lines) in line with rural guidelines. Refer to Provincial Zoning Scheme Model By-Law (2004); Agricultural Zone 1: Agriculture (AGR1).</p>	<p>activities.</p> <p>In SDF identify and reserve high and medium potential agricultural land peripheral to settlements and along access routes for small-scale agriculture (i.t.o. Western Cape Policy for Establishment of Agricultural Holdings in the Urban Fringe.</p> <p>Apply the Provision of Land and Assistance Act, to facilitate subdivision of small-scale farming units for emerging farmer establishment.</p>	<p>friendly pesticides, and herbicides;</p> <ul style="list-style-type: none"> <li>- improve tillage;</li> <li>- reduce stock rates and adopt rotational grazing;</li> <li>- plough along contours &amp; prevent erosion;</li> <li>- mitigate against fire risks.</li> </ul> <ul style="list-style-type: none"> <li>• Enforce conformity with land use and building regulations - especially building lines, height and extent of structures.</li> <li>• Enforce applicable EIA regulations for listed activities (e.g. clearing of natural veld).</li> <li>• Compile and apply rural architectural and landscaping guidelines.</li> </ul>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
<b>3.3 HOLIDAY ACCOMMODATION</b>						
<p>(i) To provide a range of opportunities for tourists and visitors to experience living in the Western Cape’s unique rural landscapes.</p> <p>(ii) To align the scale and form of overnight facilities with the character and qualities of the Western Cape’s diverse rural areas.</p> <p>(iii) To diversify farm income.</p>	<p>Most holiday accommodation should be provided in or adjacent to existing towns and rural settlements.</p> <p>Holiday accommodation should also be available throughout the rural landscape, but its scale and form should be appropriate to the SPC (see Table 2).</p> <p>Holiday accommodation situated outside of the urban edge should be clustered in visually discreet nodes in the rural landscape.</p> <p>The form and scale of holiday accommodation situated outside the urban edge should reinforce rural landscape qualities.</p>	<p>Rural holiday accommodation should preferably make use of existing buildings or new buildings on disturbed footprints, and these should reflect the natural and heritage significance of the site.</p> <p>On intensive and extensive agricultural farms B&amp;Bs, lodges, guesthouse or boutique hotels, where appropriate, should be located within or peripheral to the farmstead. Their buildings should complement the farm’s vernacular. It should be recognized that surrounding farming activities (e.g. noise, odour, spray drift) may impact negatively on on-farm holiday accommodation. Visitors to on-farm holiday accommodation may also impact on farming activities (e.g. dust from vehicles).</p>	<p>(i) Section 8 Regulations make no provision for overnight accommodation in rural areas (i.e. in Agricultural Zone 1 or 2), either as a primary or a consent use. In Agricultural Zone 1 they provide for 1 extra dwelling unit per 10,0ha, up to a maximum of 5 units, as a consent use. Residential Zone 5 provides for a residential building (e.g. hotel, residential rooms, boarding house) as a primary use. Resort Zone 1 provides for camping sites as a form of holiday accommodation.</p> <p>(ii) The 2005 Western Cape Guidelines for Resort Development provide for resort development (rezoning to Resort 1 and II on a 50/50 basis) for non-alienable holiday accommodation units. The guidelines provide for the inclusion of B&amp;B establishments,</p>	<p>(i) B&amp;Bs should be a primary right under Agriculture Zone 1 when an existing building is employed. Such right should be limited to 1 per farm, and the dominant use of the building should remain a dwelling, with accommodation limited to 2 rooms and 5 lodgers. Guest rooms should be attached to the dwelling and these should not be converted into separate dwelling units. For the construction of new buildings or larger B&amp;Bs, consent use must be sought.</p> <p>(ii) Backpacker hostels should be a primary right of Agriculture Zone 1 when an existing building is employed. These should be limited to 1 per farm with the building used for letting of individual or communal rooms. Provision for communal food preparation by lodgers should be made. For the construction of new buildings or backpackers hostels, a consent use must be sought.</p> <p>(iii) A guesthouse should also be a primary right of Agriculture Zone 1 when an existing building is</p>	<p>(i) Amend Provincial Zoning Scheme Model By-Law to provide for B&amp;Bs as a primary right in (existing structures) and consent use (new structures) Agriculture Zone 1 and Resort Zone; and consent use in Conservation Zones 2 and 3.</p> <p>(ii) Amend Provincial Zoning Scheme Model By-Law to provide for backpacker hostels as a primary right (existing structures) and consent use (new structures) in Agriculture Zone 1 and Resort Zone; and consent use in Conservation Zones 2 and 3.</p> <p>(iii) Amend Provincial Zoning Scheme Model By-Law to provide for guesthouse as a primary right (existing</p>	<p>(i) Avoid fragmentation of cadastral unit, and rather use leasehold for 3<sup>rd</sup> party ownership of holiday accommodation.</p> <p>(ii) All land for holiday accommodation should be non-alienable (i.e. either: rental; time-share; share block; or fractional ownership).</p> <p>(iii) Resort development outside the urban edge should not include individually alienable units, as is the case for farm rental units.</p> <p>(iv) Development applications for holiday accommodation should provide a precinct development plan and address the impact of the proposal on agricultural activities and/or</p>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
	Where possible large scale resorts should not be located within productive agricultural landscapes, but preferably situated adjacent to a rural feature (e.g. dam, river) that offers a variety of leisure and recreation opportunities (e.g. hiking, mountain biking, water based activities), and is well connected to regional routes.	<p>Farm rental units should not be permitted within 1km of the coast. Whilst it is preferable that they be located within the farmstead, dispersed rental units should be on existing farm roads, in visually unobtrusive locations, and be self-sufficient in terms of servicing (i.e. no extension of infrastructure networks to remote locations).</p> <p>Holiday accommodation should be located appropriately, avoiding high risk areas (e.g. fire, flooding, coastal processes) and conflict with productive farming areas.</p> <p>Rural resorts should be compact and clustered in nodes. and provide a range of accommodation for different levels of affordability.</p>	<p>guesthouses and camping sites, with a pro-rata determination of total units.</p> <p>(iii) Some Western Cape municipalities have developed guidelines for bed and breakfast establishments, guesthouses, and caravan and camping sites.</p>	<p>employed. This right should be limited to 1 per farm, with accommodation limited to 5 guest bedroom suites at a ratio of 1 suite/10ha, up to a maximum of 15 lodgers. The Resort Guidelines should apply to guesthouses, namely: a building footprint up to 350m<sup>2</sup>; and 2 storey's up to 8.0m height. Guesthouses should be allowed to exceed the number of rooms of a B&amp;B provided that the building is retained in a form which can easily be re-used as a single dwelling house, and all amenities and provision of meals shall be for the sole benefit of bona-fide lodgers.</p> <p>(iv) A boutique farm hotel / lodge should be a consent land use right in Agriculture Zone 1. Up to 1 boutique hotel per farm should, where appropriate, be permitted accommodating up to 10 guest bedroom suites at a ratio of 1 suite/10ha. The following Section 8 Regulations should apply: a building footprint up to 350m<sup>2</sup>; and 2 storey's up to 8.0m height. Conference and entertainment facilities, in-scale with a boutique hotel</p>	<p>structures) and consent use (new structures) in Agriculture Zone 1 and Resort Zone; and consent use in Conservation Zones 2 and 3.</p> <p>(iv) Amend Provincial Zoning Scheme Model By-Law to provide for boutique hotel as a primary right in Resort Zone; and consent use in Agriculture Zone 1 and Conservation Zones 2 and 3.</p> <p>(v) Apply rezoning to Resort Zone (RE) in terms of the Provincial Zoning Scheme Model By-Law (2004).</p> <p>(vi) Camping site provision be in terms of the Model Scheme By-Law (2004), with amendment of such regulation to provide for up to 20 sites as a consent use in Agriculture Zone 1, Conservation</p>	<p>conservation, and the impact of agricultural activities and/or conservation on the proposal.</p> <p>(v) Holiday accommodation proposals should only be considered on marginal farming land and land of low environmental sensitivity and significance.</p> <p>(vi) When adjudicating development applications municipalities should solicit the comments of surrounding properties, and consider the cumulative impact of holiday accommodation on the rural landscape.</p> <p>(vii) Municipalities should ensure approved precinct development plans are adhered to and the building regulations are enforced.</p>



**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
				<p>/ lodge can be provided at a rate of 10m<sup>2</sup> floor space per guest suite up to a maximum of 150m<sup>2</sup> floor space for the conference facility, whether within the boutique hotel or as a separate building. All amenities and meal facilities should be available to public visitors.</p> <p>(v) Resort development should be subject to positive EIA and rezoning processes. Up to a maximum of 50 resort units may be developed at the density norm applicable to the following contexts (refer Annexure 1 for Calculation of Density Norms):</p> <ul style="list-style-type: none"> <li>- General source (i.e. the wider region)</li> <li>- Water source (i.e. regional dams and substantial hot springs)</li> <li>- Linear source (i.e. within 1km of the coast, a river or a lagoon, or mountain range)</li> <li>- Building Height; single storey (6,5m)</li> </ul> <p>Resort units may be up to 120m<sup>2</sup> including garaging. Resorts can include B&amp;s, guesthouses, lodges or boutique hotels, and camping sites.</p>	<p>Zones 2 and 3.</p> <p>(vii) The provision for farm rental units be in accordance with the consent use for additional dwelling units as per the Model Scheme By-Law (2004). Model Scheme By-Law be amended to include a maximum floor area of 175m<sup>2</sup> including garaging for additional dwelling units.</p>	<p>(viii) Current EIA regulations (i.t.o. NEMA listed activities) and flood line restrictions should be enforced.</p>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
				<p>(vi) Camping sites need new regulations to accommodate current trends and destinations, (e.g. 4x4s, tented accommodation and visits to conservation areas). Provision needs to be made for a range of facilities (e.g. farm to regional scale) and their inclusion within resorts. A reduction in camp site size requirements is warranted. Camp sites not to be located so that they are unobtrusive in the landscape.</p> <p>(vii) Farm rental unit regulations currently in force should be retained (i.e. consent use for 1 additional dwelling unit per 10ha, to a maximum of 5 units; 175m<sup>2</sup> maximum floor area of a rental unit including garaging; building height of 1 storey (6,5m); additional farm rental units not to be used for B&amp;Bs, guesthouses, backpackers' hostels, or boutique hotel / lodge.</p>		

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
<b>3.4 RURAL HOUSING</b>						
<b>3.4.1 Consolidation of the Conservation Estate</b>						
To incentivise the consolidation of rural properties of high biodiversity value and their incorporation into the conservation estate.	<p>The incentive of restricted Rural Housing rights should only be offered where properties of high biodiversity value (i.e. containing Critical Biodiversity Areas (CBAs) and/or Critical Ecological Support Areas (ESAs)) are consolidated and given formal conservation status.</p> <p>The Rural Housing incentive could apply in the following SPCs: Core 2 Areas (restricted application); Buffer 1 and 2; and Intensive Agriculture.</p> <p>Rural Housing should not be promoted within 1km of the coast. Location in the vicinity of a lagoon or river to</p>	<p>(i) Selecting appropriate locations for Rural Housing on applicable consolidated properties should be informed by a fine-scale environmental sensitivity analysis that differentiates between “no go” areas and areas where one needs to “touch the earth lightly”.</p> <p>(ii) Within “touch the earth lightly” areas sites for Rural Housing should be selected that are visually unobtrusive on the landscape. Preference should be given to using previously disturbed footprints or transformed areas. Depending on what has the least impact, sites may be dispersed or clustered.</p> <p>(iii) Building design,</p>	Resort Zone 2 (residential component) is the only current provision for rural housing.	<p>(i) The linkage of separate cadastral portions by notarial deed is not regarded as consolidation for the purpose of Rural Housing.</p> <p>(ii) The number of Rural Housing units permissible should be related to the size of the cadastral units being consolidated, and an upper limit should be set.</p> <p>(iii) Annexure 1 sets out the proposed Rural Housing density norm calculations. In terms of this proposal up to 30 Rural Housing units may be developed if 2 or 3 cadastral portions are consolidated; up to 40 units if between 4 and 9 cadastral portions are consolidated; and up to 50 units if more than 10 cadastral portions are consolidated.</p> <p>(iv) The number of Rural Housing units permissible should be in addition to bona-fide farm employee housing, but not additional to units</p>	<p>(i) Amend Provincial Zoning Scheme Model By-Law to provide for Rural Housing.</p> <p>(ii) Apply rezoning process to secure Rural Housing rights and conservation status for land of high biodiversity value.</p> <p>(iii) Spot zonings/sectional title should be applied to the individual Rural Housing exclusive use areas.</p> <p>(iv) The areas to be designated for conservation purposes should be zoned either Conservation Zone 3 (non-statutory conservation) if they are not to be proclaimed a nature reserve, or Conservation Zone 2 (statutory conservation) if</p>	<p>(i) Rural Housing should provide for individually alienable units (i.e. sectional title or freehold)</p> <p>(ii) Rural Housing applications should demonstrate that substantial contributions to the conservation estate will be made, and that Conservation Stewardship will be put in place. A Biodiversity Agreement or contract should be a minimum requirement, together with title deed restrictions.</p> <p>(iii) Rural Housing applications should include: the results of the fine-scale sensitivity analysis; a conservation management plan; a precinct development plan for Rural Housing sites; details of</p>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
	be in accordance with the applicable development setback (i.e. buffer) and floodline, and in risk prone areas (e.g. fire or flood risk, coastal processes).	<p>scale, colour, building material and form to be informed by the aesthetic quality of the area and local vernacular.</p> <p>(iv) Rural Housing should show-case the principles of environmental sustainability in design, building materials and household technology (i.e. energy sources, waste disposal system, water sources and usage).</p>		<p>approved under the current policy of 1 additional non-alienable dwelling unit per 10ha to a maximum of 5.</p> <p>(v) The maximum floor area of a RRD unit should be 175m<sup>2</sup> including garaging and the units should be single storey (6,5m). Coverage includes verandah's.</p> <p>(vi) The footprint of the Rural Housing unit's exclusive use area should be 250m<sup>2</sup> including the building footprint.</p>	they are to be proclaimed. (refer Provincial Zoning Scheme Model By-Law, 2004)	<p>building design and servicing; and a construction and operations EMP.</p> <p>(iv) Establishment of a Property Owners Association should be a prerequisite and they should put in place a Visitor Management Plan.</p> <p>(v) A Management Agreement for the consolidated property should be entrenched in the title of each Rural Housing unit.</p> <p>(vi) Municipalities and conservation authorities should ensure compliance with all agreements and applicable regulations.</p> <p>(vii) Current EIA regulations (i.t.o. NEMA listed activities) should be enforced.</p>

<b>TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES</b>						
<b>OBJECTIVES</b>	<b>LOCATIONAL GUIDELINE</b>		<b>NORMS AND STANDARDS</b>			<b>LAND USE MANAGEMENT</b>
	<b>Landscape Level</b>	<b>Farm Level</b>	<b>Existing</b>	<b>Proposed</b>	<b>Action to Implement</b>	
<b>3.4.2 "On-Farm" Settlement of Farm Workers</b>						
<p>To facilitate "on-farm" security of tenure for farm workers, retired farm workers and their dependents.</p> <p>For facilitation of "off-farm" security of tenure from farm workers refer section 3.11 for the establishment of agri-villages.</p>	<p>"On-farm" settlement of farm workers is applicable in all rural Spatial Planning Categories.</p> <p>"On farm" settlement should not undermine the sustainable utilization of agricultural resources.</p> <p>Cadastral fragmentation of agricultural landscapes should be avoided. Where possible farm workers' dwelling units should be clustered and located in close proximity to rural movement routes.</p>	<p>(i) Make use of existing roads, services and housing stock where-ever possible.</p> <p>(ii) Avoid cadastral fragmentation of agricultural production areas.</p> <p>(iii) Respond to cultural places and settlement patterns.</p> <p>(iv) Locate as close as possible to the rural movement network and on the farm's access road.</p> <p>(v) Convert and upgrade hostels to family units.</p> <p>(vi) New dwelling units to be built consistent with the local vernacular.</p>	<p>(i) Subdivision of farm unit to facilitate settlement with accompanying right of ownership in terms of the Security of Tenure Act, 1997 (Act 62 of 1997). Section 4 provides for accessing funding to secure this right.</p> <p>(ii) "On-farm" settlement to be consistent with the Province of Western Cape: Policy for the Settlement of Farm Workers (2000)</p> <p>(iii) The Provision of Land and Assistance Act (Act 126 of 1993).</p>	<p>(i) Dwelling unit and exclusive use area to be as proposed for RRD.</p> <p>(ii) A "right of way" servitude should be registered to ensure access to the dwelling units and associated facilities.</p> <p>(iii) Where possible sustainable technologies to be adopted for services provision to dwelling units. Where applicable, engineering services servitudes to be registered.</p>	<p>i) Use existing legislation (i.e. Security of Tenure Act and Provision of Land and Assistance Act) to facilitate "on-farm" security of tenure.</p> <p>ii) Apply existing provincial farm worker settlement policy.</p> <p>iii) Amend Provincial Zoning Scheme By-Law (2004) in order that Rural Housing provides for "on-farm" settlement of farm workers.</p>	<p>(i) Subdivision of farm unit to balance interests of farm workers and owners.</p> <p>(ii) Subdivided portions to be affordable and sustainable for beneficiaries.</p> <p>(iii) Existing, upgraded and new dwelling units to comply with local building and engineering services supply standards.</p> <p>(iv) Required "right of way" and engineering services servitudes to be entrenched in the title of the farm unit.</p>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
<b>3.5 TOURIST AND RECREATIONAL FACILITIES</b>						
<p>(i) To diversify the Western Cape’s rural economic base into the tourism and recreation sectors, and develop these sectors on a sustainable and equitable basis.</p> <p>(ii) To offer a range of appropriate nature, cultural and agri-based rural tourism facilities, and recreational opportunities across the rural landscape.</p>	<p>Whilst tourist and recreation facilities should be accommodated across the rural landscape (i.e. in all SPCs), the nature and scale of the facility provided needs to be closely aligned with the environmental characteristics of the local context.</p> <p>Environmentally sensitive areas (e.g. wetlands and other special habitats) should be avoided, and the placement of facilities and activities should be informed by a landscape assessment (i.e. considering biodiversity, cultural &amp; scenic attributes).</p> <p>Any facility not directly related to the rural landscape should preferably be</p>	<p>Rural tourism and recreation facilities and activities should not compromise farm production, and be placed to reinforce the farmstead precinct.</p> <p>Existing structures or disturbed footprints should preferably be used, and adequate provision made for access and parking. Buildings should respond to the farm’s built vernacular.</p>	<p>(i) In terms of the Section 8 Regulations a tourist facility is a consent use in Agriculture Zone 1 and Resort Zone 1.</p> <p>(ii) Guidelines were introduced in 2005 for Golf Courses, Golf Estates, Polo Fields and Polo Estates in the Western Cape.</p>	<p>(i) The nature and scale of facility appropriate in a particular context should be determined by considering:</p> <ul style="list-style-type: none"> <li>- the extent of the cadastral portion, and</li> <li>- the sensitivity of, and impact on, the receiving environment (i.e. agricultural or natural).</li> </ul> <p>(ii) Existing buildings or disturbed footprints should preferably be used, and the farmstead or outposts should be reinforced.</p> <p>(iii) New buildings should conform to the local vernacular in terms of scale, form and materials.</p> <p>(iv) Large-scale developments including a residential component (e.g. golf links) should be located on the urban edge, with such residential component located inside the edge.</p>	<p>(i) In Agriculture Zone 1; Conservation Zones 2, &amp; 3; and in the Resort Zone, tourist and recreational proposed facilities and activities should be dealt with as consent use applications in terms of the Provincial Zoning Scheme Model By-Law, 2004.</p> <p>(ii) The 2005 Guidelines for Golf Courses, Golf Estates, Polo Fields and Polo Estates in the Western Cape should be applied.</p>	<p>Development applications should include details on:</p> <ul style="list-style-type: none"> <li>- tenure arrangements, with leasehold used for 3<sup>rd</sup> party operators or owners of facilities;</li> <li>- buildings, landscaping and infrastructure provision;</li> <li>- access and parking arrangements;</li> <li>- the position and nature of all proposed signage;</li> <li>- a Business Plan that specifies BEE arrangements;</li> <li>- environmental, agricultural &amp; visual impact assessments;</li> <li>- an Environmental Management Plan;</li> <li>- a Disaster Management Plan detailing search and rescue procedures.</li> </ul> <p>Consent use applications should be advertised for comment by interested and</p>

<b>TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES</b>						
<b>OBJECTIVES</b>	<b>LOCATIONAL GUIDELINE</b>		<b>NORMS AND STANDARDS</b>			<b>LAND USE MANAGEMENT</b>
	<b>Landscape Level</b>	<b>Farm Level</b>	<b>Existing</b>	<b>Proposed</b>	<b>Action to Implement</b>	
	located within or peripheral to urban centers.  The residential component of rural tourist and recreation developments should be restricted.					affected parties, particularly adjoining property owners.  The applicable EIA regulations (in terms of NEMA) for listed activities should be enforced by the statutory authorities, as well as compliance with the approved EMP.  The local authority should apply the building regulations and ensure conditions of approval are adhered to.
<b>3.6 RURAL BUSINESS</b>						
To facilitate the development of rural businesses serving the needs of local communities, rural tourists and agricultural production.	Appropriate rural businesses could be accommodated in all Spatial Planning Categories (e.g. curio-shop appropriate in a National Park).  Non place-bound businesses (e.g. service traders, agricultural co-operative, filling	Place-bound rural businesses should preferably be located on the farm to consolidate the farmstead precinct, and complement the farm's operations.  Farm stalls should be located either in the farmstead precinct or abutting a tourist route in the event of such route traversing the farm boundary. Facilities to avoid	(i) Section 8 Regulations provide for farm stall, farm store and tourist facilities (including a restaurant and gift shop) as consent uses in Agriculture Zone 1  (ii) Section 8 Regulations also provide for resort shop and tourist facilities (including a restaurant and gift shop) as consent uses in Resort Zone 1.	(i) Farm shop should be limited to selling of daily requisites and farm stalls to selling products produced and processed on the farm. Both should be limited to a maximum floor space of 100m <sup>2</sup> , including storage facilities.  (ii) Restaurant, tavern and venue facilities in accordance with current local authority land use and building and health regulations. Such	(i) In Agriculture Zone 1; Conservation Zones 2, & 3; and in the Resort Zone proposed rural businesses, where appropriate, should be dealt with as consent use applications in terms of the Provincial Zoning Scheme Model By-Law, 2004.  (ii) Amend the	Consent use applications should include details on: - tenure arrangements, with leasehold used for 3 <sup>rd</sup> party operators or owners of facilities; - a site development plan including buildings, landscaping and infrastructure provision; - access and parking

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
	<p>station, plant nursery, commercial kennel) should be located within the urban edge of rural settlements in order to reinforce their economic base or establish gateways (e.g. integrated complex of tourism office, retail/craft outlet, and petrol station) to them.</p> <p>Place-bound businesses appropriate in the rural landscape include farm stalls and shops, restaurants and taverns, and venue facilities (e.g. conferences and weddings).</p>	<p>location on agricultural land, unless no alternative location exists.</p> <p>Restaurants, taverns and venue facilities should be located within the farmstead precinct and be of appropriate scale and vernacular design.</p>		<p>facilities to be of a scale compatible with the farmstead precinct, with a maximum patronage of 100 for any single or combined facility.</p> <p>(iii) Any new buildings in the rural area to be informed by local vernacular regarding scale, form and building materials (e.g. roadside farmstall)</p>	<p>Provincial Zoning Scheme Model By-Law to include venue and conference facilities as a consent use of Agriculture Zone 1 : Agriculture (AGR1) and Conservation Zones 2 and 3.</p>	<p>arrangements;</p> <ul style="list-style-type: none"> <li>- the position and nature of all proposed signage;</li> <li>- a Business Plan that specifies BEE arrangements;</li> <li>- environmental, agricultural &amp; visual impact assessments;</li> <li>- an Environmental Management Plan;</li> </ul> <p>When farm stalls are located along limited access routes, access to such farm stalls to be via a minor or intersecting road. The position of the farm stall to comply with road building line restrictions.</p> <p>Consent use applications should be advertised for comment by interested and affected parties, particularly adjoining property owners.</p> <p>The applicable EIA regulations (in terms of NEMA) for listed activities should be enforced by the statutory authorities,</p>



<b>TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES</b>						
<b>OBJECTIVES</b>	<b>LOCATIONAL GUIDELINE</b>		<b>NORMS AND STANDARDS</b>			<b>LAND USE MANAGEMENT</b>
	<b>Landscape Level</b>	<b>Farm Level</b>	<b>Existing</b>	<b>Proposed</b>	<b>Action to Implement</b>	
						as well as compliance with the approved EMP.  The local authority should apply the building regulations and ensure conditions of approval are adhered to.
<b>3.7 RURAL INDUSTRY</b>						
<p>To facilitate the development of industrial activity that underpins the rural economy.</p> <p>Rural industrial activity includes:</p> <ul style="list-style-type: none"> <li>- processing local and regional farm products</li> <li>- extracting minerals</li> <li>- processing natural resources</li> <li>- servicing agriculture, mining, conservation and rural tourism (i.e. service trades).</li> </ul>	<p>Rural industry should only be located in the following SPCs:</p> <ul style="list-style-type: none"> <li>- Settlement</li> <li>- Intensive Agriculture</li> <li>- Buffer 2</li> </ul> <p>All non place-bound industry (e.g. transport contractors, dairy depots, builder's yards) should be located within, to the urban edge of settlements.</p> <p>All non place-bound agricultural industry (e.g. fabricating pallets, bottling</p>	<p>(i) Home occupation, including the processing of farm products (e.g. olive oil pressing), should be located within the farmstead or outpost precinct.</p> <p>(ii) All place-bound agricultural industry related to the processing of locally sourced (i.e. from surrounding farms) products, should be located within the agricultural area (e.g. winery within an intensive viticulture area)</p> <p>(iii) Agricultural industry, within</p>	<p>Section 8 Regulations provide for:</p> <ul style="list-style-type: none"> <li>- Agricultural industry as a primary use in Agriculture Zone II</li> <li>- Mining as a primary use in Industrial Zone III</li> <li>- Industry as a primary use in Industrial Zone I</li> </ul>	<p>(i) Home Occupation should be limited to the processing of products produced on the farm.</p> <p>(ii) Agricultural Industry should be accommodated with spot zonings of up to a 500m<sup>2</sup> footprint. Larger activities should be accommodated in settlements.</p> <p>(iii) Extractive Industry needs to conform to the provisions of the MPRDA, the Mine, Health and Safety Act (Act 29 of 1996) and NEMA principles for the protection of the rural environment.</p> <p>(iv) Both agricultural and extractive industry should exclude any permanent on-site accommodation.</p> <p>(v) Structures</p>	<p>(i) Home Occupation to be dealt with as a consent use in Agriculture Zone 1 in terms of the Provincial Zoning Scheme By-Law (2004)</p> <p>(ii) Agricultural Industry including the small-scale processing of agricultural and forestry products (e.g. winery, sawmill) to be dealt with as a consent use in terms of Agricultural Zone 1, with an amendment to the Provincial</p>	<p>(i) Spot zoning area to be clearly demarcated on a survey diagram.</p> <p>(ii) Building regulations to be applied in agricultural areas, especially regarding building lines, height and extent of structures</p> <p>(iii) Applicable EIA regulations (in terms of NEMA to be applied for listed activities.</p> <p>(iv) Extractive industry to obtain approval of: an Environmental Management Plan</p>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
	<p>&amp; canning plants, abattoirs) should be located within the urban edge of settlements.</p> <p>Extractive industry (i.e. quarrying and mining) takes place at the mineral or material source. Subject to an environmental impact assessment, secondary beneficiation (e.g. cement block production, concrete batch plants, pre-mix asphalt plants) could take place at the mineral or material source.</p>	<p>both intensive and extensive agricultural areas, should be located adjacent to, or in close proximity to, the regional route network.</p>		<p>accommodating agri-industry should conform to local vernacular, and attention needs to be given to adequate screening.</p>	<p>Zoning Scheme By-Law (2004) to accommodate such consent use. Larger processing facilities to be spot zoned Agricultural Zone 2 (Agricultural Processing) in terms of the Provincial Zoning Scheme By-Law (2004).</p> <p>(iii) Extractive Industry to be dealt with as a departure or consent use in Agriculture Zone 1, with the necessary amendment to the Provincial Zoning Scheme By-law (2004) to accommodate such consent use.</p>	<p>(EMP); mine (site) Development Plan; NEMA authorisations or exemptions; Social and Labour Plan; rehabilitation plan and fund being in place; Mining Permit or Mining Right in terms of the Mineral and Petroleum Resources Development Act (MPRDA) (Act 28 of 2000).</p> <p>(v) Authorisation to be obtained for disposal of waste water or by-products in the event of such disposal exceeding Department of Water Affairs and Forestry specifications in terms of the National Water Act.</p> <p>(vi) Appropriate tenure arrangements to be put in place (i.e. freehold or leasehold to accommodate third party</p>

<b>TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES</b>						
<b>OBJECTIVES</b>	<b>LOCATIONAL GUIDELINE</b>		<b>NORMS AND STANDARDS</b>			<b>LAND USE MANAGEMENT</b>
	<b>Landscape Level</b>	<b>Farm Level</b>	<b>Existing</b>	<b>Proposed</b>	<b>Action to Implement</b>	
						business ownership).  (vii) All consent use applications to include a site development plan, and to be advertised for comment by interested and affected parties.
<b>3.8 SMALLHOLDINGS</b>						
<p>Smallholdings are extensive landholdings on which small-scale agricultural activities may take place, but are primarily places of residence by people who seek a rural lifestyle.</p> <p>The provincial objective is to prevent new smallholding development fragmenting the Western Cape's rural landscapes.</p> <p>Small-scale agricultural development (e.g. allotments) is</p>	<p>New smallholding developments should not be permitted in the rural landscape. Smallholdings should be limited to appropriate locations inside the medium to long term urban edge, as determined through the SDF process.</p> <p>Lifestyle smallholdings should not be located on high and medium potential agricultural land or land of biodiversity significance.</p>	<p>When planning new smallholding developments, properties targeted at the rural lifestyle market should be located inside the urban edge.</p> <p>Bona-fide small-scale agricultural properties (e.g. agricultural allotments) should be located outside the urban edge within Intensive Agriculture SPCs. Such properties should include an independent water source and be linked to a land reform project.</p>	<p>Section 8 Regulations specify agriculture as primary use in Agriculture Zone 1.</p>	<p>A 'lifestyle' smallholding unit size of 4000m<sup>2</sup> is recommended inside the urban edge, with consideration to subsequent subdivision as part of the urban growth frontier.</p> <p>A minimum allotment size of 8000m<sup>2</sup> is recommended for small-scale agricultural properties within Intensive Agriculture SPCs.</p>	<p>Use Rural Zone 1 : Smallholdings (RU1) which provides for the following primary uses:</p> <ul style="list-style-type: none"> <li>- Agriculture</li> <li>- Dwelling house</li> <li>- Home occupation</li> </ul> <p>New smallholding to be rezoned to Rural Zone 1: Smallholdings (RU1) in terms of the Provincial Zoning Scheme By-Law (2000).</p> <p>Possible future subdivisions to be dealt with in terms of LUPO (1985).</p>	<p>A Management Plan should be compiled for all existing smallholding areas, with attention to: permitted land uses; minimum subdivision size; property owners association; services provision; environmental management and landscaping.</p> <p>For new smallholding developments a Development and Environmental Management Plan should be compiled with attention to sustainability considerations.</p> <p>EIA processes to be followed and NEMA</p>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
restricted to integrated agricultural projects in terms of the Provision of Land and Assistance Act, 1993 (Act 26 of 1993).	Smallholdings could be located along future urban growth axes, and subsequently subdivided to promote urban compaction.					<p>listed activity regulations and authorizations enforced.</p> <p>The local authority should apply the building regulations and ensure conditions of land use approval are adhered to.</p>
<b>3.9 COMMUNITY FACILITIES AND INSTITUTIONS</b>						
<p>Rural community facilities include: educational; health; assembly; religious; etc.</p> <p>(i) To provide facilities necessary for the sustainable socio-economic development of rural communities</p> <p>(ii) To provide for institutions requiring extensive land or an isolated location (e.g. treatment of infectious</p>	<p>Facilities and institutions should be located in the following SPCs:</p> <ul style="list-style-type: none"> <li>- Settlement</li> <li>- Buffer 1 and 2 Areas</li> <li>- Intensive Agriculture</li> </ul> <p>Where-ever practical facilities should be located in settlements. Location within the rural landscape may be required when travel distances are too far or rural population concentrations are large.</p> <p>In extensive</p>	<p>(i) Establish facility on available state or municipal land, or on land acquired for such purposes (e.g. lease or purchase)</p> <p>(ii) In the absence of public land, establish facilities "on-farm", utilizing existing farm structures or existing footprints, with local vernacular informing the scale, form and use of materials</p> <p>(iii) Location of facilities to</p>	<p>Section 8 Regulations provide for:</p> <ul style="list-style-type: none"> <li>- Institutional Zone 1; Place of Instruction (e.g. crèche)</li> <li>- Institutional Zone II; House of Worship (e.g. church)</li> <li>- Institutional Zone III; Institution (e.g. clinic)</li> </ul> <p>The Subdivision of Agricultural Land Act (Act 70 of 1970) applies where land has to be subdivide for rural facilities and institutions.</p>	<p>(i) The nodal clustering of rural facilities in service points should be promoted, with these points accommodating both mobile services and fixed community facilities (e.g. health, pension payments). The scale and frequency of services provided will be as per departmental specifications (e.g. Health, Social Welfare, etc.)</p> <p>(ii) Education facilities should be established in accordance with departmental specifications, including crèches and recreation fields.</p>	<p>Use spot zonings for the following primary uses:</p> <ul style="list-style-type: none"> <li>- Community Zone 1: Education (C1); Place of Instruction</li> <li>- Community Zone 2: Worship (C2); Place of Worship</li> <li>- Community Zone 3: Institution (C3); Institution, Hospital, Clinic, etc.</li> </ul> <p>Consent uses of C1, C2 or C3 should be used to facilitate health, education, worship and social services at service points and within multipurpose community centers.</p>	<p>Wherever possible new facilities should be located in settlements and not in isolated locations.</p> <p>Development applications should include a site development and landscaping plan, and details on the use of sustainable building technologies.</p> <p>Appropriate tenure arrangements to be put in place (i.e. freehold or leasehold to accommodate third party ownership of small on-farm facilities).</p> <p>Interested and affected parties</p>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
<p>diseases).</p> <p>(iii) To provide for institutions serving agricultural production (e.g. agricultural schools and research stations).</p>	<p>agricultural areas it is preferable to locate rural facilities and institutions in Buffer 2 SPCs, and along a regional route.</p>	<p>target disturbed areas and areas of low agricultural potential in order to avoid fragmentation of superblocks</p>			<p>Subdivision for larger facilities in terms of Act 70 of 1970.</p>	<p>should be afforded the opportunity to comment on rezoning and consent use applications.</p> <p>The local authority should apply the building regulations and ensure conditions of land use approval are adhered to.</p>
<b>3.10 BULK INFRASTRUCTURE INSTALLATIONS</b>						
<p>Bulk infrastructure installations are public investments serving the broader community (i.e. both urban and rural). They include: airports; military bases; prisons; waste water treatment works; reservoirs and dams; power plants; waste disposal sites; etc. Because of their need for extensive space, unique locational requirements, or negative impact on surrounding areas – they often are located</p>	<p>Bulk installations should preferably be located in the following SPCs:</p> <ul style="list-style-type: none"> <li>- Settlement</li> <li>- Buffer 2</li> </ul> <p>Where locations inside the urban edge are impractical, then extensive agricultural areas peripheral to settlements are preferable.</p> <p>Proximity to regional routes is important. Disturbed areas or land adjacent to an existing installation should be</p>	<p>Where possible installations should be located on previously disturbed terrain, or land of low biodiversity or agricultural value.</p> <p>Within intensive agricultural areas only essential installations (e.g. irrigation) should be accommodated.</p> <p>Consideration should be given to reserving land for intensive agricultural allotments in proximity of WWTW's, or composting installations to benefit from wastes</p>	<p>The Section 8 Regulations provide for:</p> <ul style="list-style-type: none"> <li>- Authority Zone - authority Usage (e.g. reservoir)</li> </ul> <p>Where land is required outside the urban edge, the provisions of the Subdivision of Agricultural Land Act (Act 70 of 1970) apply.</p> <p>NEMA and the NWA provide for landscape and site level environmental impact assessments and mitigation measures.</p>	<p>The SDF process should be used to ensure that new bulk installations are appropriately located on the landscape, and that existing installations are rationalised.</p> <p>As part of this process suitable land in the urban fringe should be identified, and taken into consideration when delineating the medium to longer term urban edge.</p>	<p>Rezone to Authority Zone 1: Government (AU1) land required for prisons, military &amp; police training bases, etc.</p> <p>Rezone to Authority Zone 2: Utility (AU2) land required for bulk infrastructure.</p> <p>Where farms need to be subdivided, apply Act 70 of 1970.</p> <p>Use spot zoning of AU1 and AU2 to accommodate Authority and Utility Usage (e.g. police station, pump station) within intensive agricultural areas where</p>	<p>(i) The location, design and operation of installations needs to be subject to departmental specifications, and NEMA EIA and NWA regulations.</p> <p>(ii) Installations to include appropriate buffers, and landscaped screening to reduce their visual impact on the rural landscape.</p> <p>(iii) The medium to long term urban edge should be delineated taking into consideration</p>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
<p>outside the urban edge.</p> <p>The provincial objective is to ensure that these essential public installations can function effectively in suitable locations on the landscape.</p>	<p>targeted.</p> <p>Whilst natural landscapes should not be disturbed, this may be unavoidable (e.g. dam in mountain catchment) and necessitate landscape-wide impact mitigation measures.</p>	<p>or byproducts.</p> <p>Avoid establishing installations with a large residential component (e.g. prisons) in remote rural locations. For reasons of energy conservation, these installations need to be within or peripheral to existing settlements.</p>			<p>subdivision is not practical.</p>	<p>existing and future bulk infrastructure installation needs.</p> <p>(iv) Compliance with the provisions of EMPs for bulk infrastructure installations needs to be monitored by the responsible statutory authority.</p>
<b>3.11 NEW SETTLEMENT</b>						
<p>The Provincial objectives are:</p> <p>(i) To maintain a network of sustainable human settlements in the Western Cape.</p> <p>(ii) To protect the integrity and functionality of the province's rural landscapes.</p>	<p>In all cases the provision of housing and associated services to rural communities should preferably take place in existing settlements, thereby improving their sustainability.</p> <p>No new settlement should be permitted in Core 1 &amp; 2 SPCs.</p> <p>Agri-villages, where viable, could be located in Intensive</p>	<p>Where new settlements are established in rural areas, or an existing settlement on portion of a farm is formalised (in terms of the Transformation of Certain Rural Areas Act), then the Isidima principles for sustainable human settlements need to be applied.</p> <p>The option of "off-farm" settlement of farm workers in agri-villages should only be considered when this is the preferred option of target beneficiaries, and existing settlements</p>	<p>(i) Province of the Western Cape: Policy for the Settlement of Farm Workers, 2000</p> <p>(ii) Province of the Western Cape: Draft Resort Policy, 2005</p> <p>(iii) LUPO, 1985: Rezoning to Sub-divisional Area</p> <p>(iv) Provision of Land and Assistance Act, 1993 (Act 126 of 1993)</p>	<p>(i) In assessing the feasibility and conducting the planning of any new settlement in the rural landscape careful consideration needs to be given to:</p> <ul style="list-style-type: none"> <li>- impact on the natural environment,</li> <li>- visual impact on the agricultural and natural landscapes,</li> <li>- consistency with historical settlement patterns and the built vernacular,</li> <li>- bulk and internal services feasibility and the sustainability of technologies to be adopted,</li> <li>- provision and operation of community facilities,</li> <li>- settlement management</li> </ul>	<p>(i) Agri-villages should be established in terms of the Western Cape Policy for the Settlement of Farm Workers. The settlement footprint should be rezoned i.t.o. LUPO to Rural Zone 2: Rural Settlement (RU2), with agri-village (i.e. worker accommodation) as the primary use in terms of the Provincial Zoning Scheme Model By-Law, 2004.</p>	<p>(i) Development of agri-villages requires a partnership between farmer, farm workers and state/local authority.</p> <p>(ii) Compliance with authorizations or exemptions in terms of NEMA (i.e. for listed activities) need to be monitored by the responsible statutory authority.</p> <p>(iii) Tenure arrangements will vary</p>

**TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES**

OBJECTIVES	LOCATIONAL GUIDELINE		NORMS AND STANDARDS			LAND USE MANAGEMENT
	Landscape Level	Farm Level	Existing	Proposed	Action to Implement	
	<p>Agriculture and Buffer 1 &amp; 2 SPCs.</p> <p>New settlements in the rural landscape should only be considered in essential circumstances (i.e. when there are compelling reasons not to use existing towns, villages, and hamlets).</p> <p>The current practice in the Western Cape of subdividing and alienating individual residential properties in rural resort developments (i.e. Resort 2 zonings) should be discontinued, given its negative impact on rural landscapes and that these dormitory settlements are not sustainable.</p> <p>Resorts in the</p>	<p>are too far away to commute to.</p>		<p>and maintenance implications,</p> <ul style="list-style-type: none"> <li>- affordability of beneficiaries in terms of the settlement's capital and recurrent costs, and</li> <li>- land tenure arrangements.</li> </ul> <p>(ii) When formalising the 'urban' component of church, forestry and conservation settlements (i.t.o. Transformation of Certain Rural Areas) in the rural landscape, the same considerations as for new settlements listed above need to be applied. In addition attention needs to be given to:</p> <ul style="list-style-type: none"> <li>- tenure transformation,</li> <li>- integrated planning of both settlement and commonage areas, and</li> <li>- delineating existing and future settlement areas.</li> </ul>	<p>(ii) Other new settlements should also be established i.t.o. LUPO. The settlement footprint should be rezoned to Subdivisional Area, and subsequent subdivision should take place in terms of LUPO.</p> <p>(iii) In the case of proclaiming the 'urban' component of settlements (i.t.o. the Transform-ation of Certain Rural Areas) the provisions of the Land and Assistance Act (Act 126 of 1993) need to be applied.</p>	<p>depending on the type of settlement. In agri-villages leases or notarial deed of servitude will apply, as the houses remain the property of a legally constituted institution (e.g. a Trust, Section 21 Company or a Communal Property Association). Tenure arrangements will vary in other forms of new settlements, depending on the nature of the settlement (e.g. rental in a mine town). Where existing church, forestry or nature conservation settlements are formalized (i.t.o. the Transformation of Certain Rural Areas), freehold applies for residential</p>

<b>TABLE 3: RURAL LAND USE MANAGEMENT GUIDELINES</b>						
<b>OBJECTIVES</b>	<b>LOCATIONAL GUIDELINE</b>		<b>NORMS AND STANDARDS</b>			<b>LAND USE MANAGEMENT</b>
	<b>Landscape Level</b>	<b>Farm Level</b>	<b>Existing</b>	<b>Proposed</b>	<b>Action to Implement</b>	
	<p>rural landscape should cater exclusively for short term holiday accommodation (i.e. only Resort 1 zonings should apply outside the urban edge).</p> <p>Municipal growth management strategies may give consideration to channeling urban growth to a network of surrounding settlements.</p>					<p>erven and communal ownership of commonage areas.</p> <p>(iv) Urban edges should be delineated around all settlements that are established or formalized in the rural landscape.</p>



## 8. THE WAY FORWARD

Towards the adoption and application of the Western Cape's guidelines for rural land use planning and management presented in this report, the following recommendations are made:

- (i) That this third draft of the rural guidelines is presented to the MEC to obtain permission for them to be released for comment by interested and affected parties.
- (ii) That the rural guidelines are placed on DEA&DP's website, their availability is advertised to rural stakeholders, and comments are invited from all parties.
- (iii) That the rural guidelines are distributed to all municipalities for comment, and workshops are arranged to present and explain the application of the guidelines to them.
- (iv) That the Provincial Zoning Scheme Model By-Law is amended to incorporate the guidelines' recommendations, pending promulgation of the new provincial Land Use Planning Act.
- (v) That the rural land use planning and management recommendations set out in the guidelines are incorporated into the drafting of the Land Use Planning Act.
- (vi) That the rural guidelines are replaced by regulations once all comments received have been reviewed, and there is finality regarding the legislative framework for land use planning and management in the Western Cape.
- (vii) That DEA&DP's Development Facilitation Unit establishes the capacity to provide support to Western Cape municipalities on formulating integrated rural development strategies, preparing rural SDFs, and adjudicating applications for rural land use change.
- (viii) That the provincial government uses the provisions of the Intergovernmental Relations Framework Act to build

commitment by all spheres of government to the integrated and sustainable development of the Western Cape unique rural areas.

## REFERENCES:

Atkinson, D & Marais, L. 2007: The Arid Areas Programme, Volume 2 - Provincial Development Policies and Plans. Centre for Development Support, University of the Free State.

Dewar, D & Louw, P. 2007: Boschendal Farms: Groot Drakenstein – Simondium Valley, Composite Informants and Constraints (unpublished specialist report submitted as part of the EIA and HIA study).

Office of the Deputy Prime Minister. 2004: Planning Policy Statement 7: Sustainable Development in Rural Areas. Crown Publishers, Norwich, UK

Vromans, DC & te Roller, KS. 2009: The Garden Route Biodiversity Sector Plan for the George, Knysna and Bitou Municipalities. *Critical Biodiversity Areas and Ecological Support Areas for all sectors involved in land-use planning & decision-making*. Garden Route Initiative. South African National Parks. Knysna (unpublished work in progress).

## LIST OF ACRONYMS

ABI	Agulhas Biodiversity Initiative	EMP	Environmental Management Plan
ABP	Area Based Plan	ESA	Ecological Support Areas
ABET	Adult Basic Education and Training	FSBP	Fine Scale biodiversity Planning
Act 70 of 1970	Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970)	GCBC	Greater Cederberg Biodiversity Corridor
B&B	Bed and Breakfast Establishment	GEF	Global Environmental Facility
BESP	Built Environment Support Program	GI	Gouritz Initiative
C.A.P.E.	Cape Action Plan for People and the Environment	GRI	Garden Route Initiative
CARA	Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983)	HOA	Home Owners' Association
CASP	Comprehensive Agricultural Support Programme	HPUAL	High Potential and Unique Agricultural Land
CBA	Critical Biodiversity Area	HSP	Human Settlement Plans
CBO	Community Based Organisation	IDP	Integrated Development Plans
CDF	Conservation Development Framework	IDC	Industrial Development Corporation
CEMP	Construction Environmental Management Plan	ISRDP	Integrated Sustainable Rural Development Programme
CFL	Compact Fluorescent Light	ITESP	Integrated Tourism Enterprises Support Programme
CMIP	Consolidated Municipal Infrastructure Programme	LED	Local Economic Development
CSIR	Council for Scientific and Industrial Research	LRAD	Land Redistribution for Agricultural Development
DAC	District Assessment Committee	LUPA	Land Use Planning Act (proposed new legislation)
DBSA	Development Bank of Southern Africa	LUPO	Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985)
DEA&DP	Department of Environmental Affairs and Development Planning	MEDS	Micro Economic Development Strategy
DEAT	Department of Environmental Affairs and Tourism	MPRDA	Mineral and Petroleum Resources Development Act, 200 (Act 28 of 2000)
DEDT	Department of Economic Development and Tourism	MSA	Municipal Systems Act (Act 32 of 2000 as amended in 2003)
DFA	Development Facilitation Act (Act 67 of 1995)	NBA	National Environmental Management: Biodiversity Act (Act 10 of 2004)
DFU	Development Facilitation Unit	NEMA	National Environmental Management Act, 1998 (Act 107 of 1998)
DLA	Department of Land Affairs	NEM;PAA	National Environmental Management Protected Areas Act (Act 57 of 2003)
DLG&H	Department of Local Government and Housing	NFSD	National Framework for Sustainable Development
DOA	Department of Agriculture	NGO	Non-Governmental Organisation
DPLG	Department of Provincial and Local Government	NHRA	National Heritage Resources Act (Act 25 of 1999)
DPW&T	Department of Public Works and Transport		
DWAF	Department of Water Affairs and Forestry		
EDU	Economic Development Unit		
EIA	Environmental Impact Assessment		
EMF	Environmental Management Frameworks		
EMMP	Environmental Management Master Plan		

NSDP	National Spatial Development Perspective
NWA	National Water Act, 1998 (Act 36 of 1998)
PDA	Planning and Development Act (Act 7 of 1999)
PDC	Provincial Development Council
PG&DS	Provincial Growth and Development Strategy
PLAS	Pro-active Land Acquisition Strategy
RE	Resort Zone
REAF	Rural Economic Assistance Fund
ROD	Record of Decision
SABS	South African Bureau of Standards
SAHRA	South African Heritage Resources Agency
SALA	Subdivision of Agricultural Land Act (Act 70 of 1970)
SALGA	South African Local Government Association
SAMOAC	South African Manual for Outdoor Advertising Control
SANBI	South African National Biodiversity Institute
SDF	Spatial Development Framework
SIP	Strategic Infrastructure Plan
SIS	Settlement and Implementation Support Strategy
SKEP	Succulent Karoo Ecosystems Programme
SMME	Small, Medium and Micro Enterprise
SPC	Spatial Planning Categories
SUAR	Sustainable Utilisation of Agricultural Resources
TEP	Tourism Enterprise Plan
WCPSDF	Western Cape Provincial Spatial Development Framework
WWTW	Waste Water Treatment Works

## GLOSSARY OF TERMS

**“4x4 trail”** means a series of roads, tracks and routes, designed for use by off-road vehicles as recreation or adventure facility, and includes buildings normally required for the administration and maintenance thereof, but does not include holiday accommodation or tourist facilities;

**“additional dwelling units”** means dwelling units that may be erected on a land unit in Agricultural Zone I where a permitted dwelling house has first been erected, provided that the second or subsequent dwelling units, shall remain on the same cadastral unit. The number of additional units permitted is one additional unit in all cases, and further units with a density of one unit per 10ha up to a maximum of five additional units per land unit. No such unit shall be erected within 1km of the high-water mark of the sea;

**“agricultural industry”** means an enterprise for the processing of agricultural products on or close to the land unit where these agricultural products are grown, and where processing in such proximity is necessary due to the nature, perishability and fragility of such agricultural products, and includes, inter alia, wineries and farm packing stores, but does not include service trades;

**“agricultural land”** means any land which is or may be used for agricultural purposes excluding land which the Minister, after consultation with Ministers responsible for Land Affairs, Water Affairs, Mineral & Energy, Housing, and Environmental Affairs and the MEC’s concerned, has excluded by notice in the Gazette from the provisions of an appropriate Act.

**“agriculture”** means the cultivation of land for crops and plants, or the keeping and breeding of animals, or the operation of a game farm, including use on an intensive basis of the natural veld or land, and includes only such activities and buildings as are reasonably connected with the main farming activities, but excludes an agricultural industry;

**“agri-industrial”** means an undertaking involving the beneficiation of primary agricultural produce;

**“agri-village”** means a private settlement of restricted size established and managed as a legal institution that is situated within an agricultural or rural

area and where residence is restricted to bona fide rural workers and their dependants, of the farms, forestry or conservation areas involved in the development. The development of agri-villages represents a partnership between the farmer, the farm worker and the state;

**“aquaculture”** means the farming of aquatic organisms including fish, molluscs, crustaceans and plants in controlled or selective aquatic environments, with some form of intervention in the rearing process to enhance production, such as regular stocking, feeding and protection from natural predators;

**“associated structures or infrastructure”** means any building or infrastructure that is necessary for the functioning of a facility or activity or that is used for an ancillary service or use from the facility;

**“bed and breakfast establishment”** means a dwelling house or second dwelling unit in which the occupant of the dwelling supplies lodging and meals for compensation to transient guests who have permanent residence elsewhere, provided that:

- (i) the dominant use of the dwelling house concerned shall remain for the living accommodation of a single family, and
- (ii) the property complies with the provisions pertaining to a bed and breakfast establishment

**“biodiversity offsets”** include those mechanisms used in certain instances to offset/compensate for unavoidable, residual biodiversity loss in threatened ecosystems;

**“biodiversity pattern”** means specific vegetation types or habitat types, e.g. Forest or Fynbos, a population of rare and endemic species, or other biodiversity features, e.g. a river, wetland (vlei). The habitat type or feature is home to specific animals, plants, birds, insects & other organisms, for example Blue Duiker in Forests. Pattern is what we can see of nature;

**“biodiversity threshold”** means the minimum amount of an ecosystem type (vegetation, river, estuary, etc) required to ensure long term survival. Thresholds can be set for species (e.g. NSBA targets) or for ecological process areas;

**“bioregional plan”** means a spatial plan showing terrestrial and aquatic features in the landscape that are critical for conserving biodiversity, and

maintaining ecosystem functioning, and which is based on a systematic biodiversity plan that includes guidelines for avoiding loss or degradation of natural habitat in critical biodiversity areas. It is compiled in terms of the National Environmental Management: Biodiversity Act (10 of 2004);

**“boarding house”** means a building where lodging is provided, with or without meals, together with such outbuildings as are normally used therewith, and includes an old age home, building in which rooms are rented for residential purposes, and residential club; but does not include a dwelling house, group house, double dwelling house, institution, place of instruction, hotel, bed and breakfast establishment or flats;

**“bounded space”** means space with a sense of enclosure, definition and scale. Individual elements in the landscape (for example, buildings, walls and trees) should be used to ‘bound’ space and protect it from the elements;

**“business premises”** means a building or property from which business is conducted and includes a shop, office, financial institution and building for similar uses, but does not include a place of assembly, place of entertainment, institution, service station, motor repair garage, industry, industrial hive, noxious trade, risk activity, restaurant, adult entertainment business or bottle store;

**“camping site”** means a property or part thereof in which tents or caravans are utilised for accommodation for visitors, and includes ablution, cooking and other facilities for the use of such visitors;

**“coastal protection zone”** consist of:

- (a) an area declared in terms of the Environment Conservation Act, 1989 (Act No. 73 of 1989) as a sensitive coastal area within activities identified in terms of section 17(1) of that Act may not be undertaken without an authorisation;
- (b) any part of the littoral active zone that is not coastal public property;
- (c) any coastal protected area, or part of such area, which is not coastal public property;
- (d) any area situated wholly or partially within one kilometre of the high water mark which:
  - (i) is zoned for agricultural or undetermined use; or
  - (ii) is not zoned nor part of a lawfully established township, urban area or other human settlement

- (e) any area not referred to in paragraph (d) that is situated wholly or partially within 100 metres inland of the high water mark;

**“commercial antenna”** means a facility incorporating a high mast, for the transmission and/or receiving of electromagnetic waves, and includes a television station, a radio station and a cellular communication tower;

**“commercial kennel”** means kennel services for dogs, cats and similar animals, and includes commercial breeding, boarding kennels, pet motels and dog training centres; (we will need to add ‘commercial’ to the activity in the actual by-law);

**“conference facility”** means a place of assembly without overnight accommodation, which also supplies meals, which normally is an additional activity to a primary function such as a hotel, guest-house or restaurant and where the building restrictions will be those of the primary function, except that additional parking may be required;

**“critical biodiversity areas (CBA’s)”** means terrestrial (land) and aquatic features (rivers, wetlands and estuaries) in the landscape that are critical for conserving biodiversity (nature) and maintaining ecosystem functioning (e.g. animal migration, pollination);

**“development”** in relation to a place, means any process initiated by a person or body to change the use, physical nature, or appearance of that place, and without limitation includes:

- (a) the construction, erection, alteration, demolition or removal of a structure or building for which building-plan approval is required;
- (b) change of actual land-use;
- (c) up-or downgrading of development rights, including the subdivision or consolidation of land;
- (d) the preparation, surveying or advertising of land in anticipation of approval of amended rights or in a way as to suggest possible approval;
- (e) the installation of infrastructure or the preparation of land therefor;
- (f) changes to the existing or natural topography of land;
- (g) the destruction or removal of vegetation, and
- (h) any other physical change being brought about in respect of land, buildings, infrastructure or other structures;

**“development footprint”** means abandoned land or property where the lawful/legal land use right has not been exercised during the preceding ten year period;

**“development setback”** means a setback line in terms of zoning scheme regulations or a setback line determined in terms of development approval conditions or a setback line determined in terms of approval conditions included in previous authorisations, rezoning or subdivision approvals spatial development tools and which must, where appropriate, be scientifically motivated;

**“ecological processes”** means natural operations which occur within ecosystems and maintain them as working systems. Ecosystems work because they are kept “alive” by ecological processes such as pollination, nutrient cycling through microbial action, natural disturbance (e.g. fire, flood), migration of species (along rivers, coastal areas), soil maintenance, the quality and quantity of water flowing down rivers and into estuaries (a hydrological process); the movement of marine sands in and out of the terrestrial environment (a geological process); or the movement patterns of birds that pollinate coastal fynbos or disperse seeds (a biological process). These processes are maintained through large-scale ecological corridors;

**“environmental impact assessment”** means a report concerning the impact on the environment of specified, proposed activities, and such report shall comply with requirements laid down by the Council for environmental impact assessment;

**“environmental management plan”** means an operational plan that organises and co-ordinates mitigation, rehabilitation and monitoring measures in order to guide the implementation of a proposal and its ongoing maintenance after implementation;

**“equity”** means a situation where more advantaged groups do not benefit at the expense of less advantaged ones. In equitable settlements, all inhabitants have reasonable access to the opportunities and facilities which support living there. Equity does not mean that everything is the same. It means everyone will have access to a broadly similar range of opportunities, facilities, special places and events;

**“estuary”** means a body of surface water that:

- (a) is part of a water course that is permanently or periodically open to the sea, and
- (b) in which a rise and fall of the water level as a result of the tides is measurable at spring tides when the water course is open to the sea; or
- (c) the salinity is measurably higher as a result of the influence of the sea;

**“farmstall”** means a building, located on a farm, which does not exceed 100m<sup>2</sup> in floor space, including storage facilities, where a farmer sells products produced and processed on this farm to the general public;

**“farm shop”** means a building, located on a farm, which does not exceed 100m<sup>2</sup> in floor space, including storage facilities, where the farmer sells goods, whether to his employees or to the general public;

**“filling station”** means a site where petrol, diesel, liquid petroleum gas or paraffin is offered for sale, and includes shops and car-washing facilities that are located on the same property or form part of the same development but excludes retail shops that sell gas or paraffin in small containers;

**“fine scale biodiversity plan (FSBP)”** means a biodiversity plan (map) that has been undertaken at a more accurate level, usually at a scale of 1:10 000 – 1:50 000. These plans are more accurate than broad scale biodiversity plans, such as STEP, CAPE, for more informed decision-making. However, because they are not 100% accurate, a site visit will always be required to confirm what the map states. As a general rule, the most recent biodiversity plans at the finest scale should take precedence over biodiversity plans when informing land use planning and decision-making;

**“fractional ownership”** – fractional ownership has been advertised and promoted as a new concept of ownership and investment and refers to the collective ownership of an asset. The asset concerned could be anything from an aircraft to a yacht, but typically the underlying asset is a luxury home, holiday apartment, or hotel suite of high monetary value (often with managed hospitality and support services) which is used by the fractional owners for leisure purposes. The costs of administering the scheme are divided among the fractional owners in accordance with their shareholding in the entity (normally a company) which owns the asset.

In short, the purchase of a fractional interest normally involves the sale of shares in a company which goes hand-in-hand with a use agreement which

regulates how the underlying property or any part thereof is to be used by the fractional owners.

Members of the legal fraternity have expressed the view that certain fractional ownership schemes may, (depending on the type of scheme), be operating in contravention of either the Share Blocks Control Act, No 59 of 1980, or the Property Time-Sharing Control Act, No 75 of 1983. Further, that any supply of fractional interests in relation to the use of fixed property owned by the company in which the shares are held, constitutes the supply of "fixed property" because of the occupation rights which it confers on the owners.

The characteristics of the fractional ownership schemes described above which involve the underlying use of fixed property are very similar to share block and time-sharing schemes. This is because included in the supply is a right to, or an interest in, the use of immovable property or a part thereof.

The supply of fractional ownership interests in a scheme where the objective is for the shareholders to acquire the use of fixed property does not merely constitute the supply of equity shares, but rather, interests in share block or time-sharing schemes which confer the right of use or occupation upon the owners;

**"guest bedroom suite"** means guest accommodation which comprises more than the bedroom, including a lounge, etc;

**"guest house"** means a dwelling house which is used for the purpose of letting individual rooms for residential accommodation, with or without meals, and which exceeds the restrictions of a bed and breakfast establishment, provided that:

- (i) the property is retained in a form which can easily be re-used by a family as a single dwelling house, and
- (ii) all amenities and provision of meals shall be for the sole benefit of bona fide lodgers;

**"hard edge"** means an edge beyond which no urban development is allowed. This protects the natural environment and encourages infilling;

**"high potential agricultural land"** means the best land available for, suited to and capable of consistently producing optimum yields of a wide

range of agricultural products (food, feed, forage, fibre and oilseed), with minimum damage to the environment;

**"high-water mark"** means the highest line reached by coastal waters but excluding any line reached as a result of:

- (a) exceptional or abnormal floods or storms that occur no more than once in ten years; or
- (b) an estuary being closed to the sea;

**"holiday accommodation"** means a harmoniously designed and built holiday development used for holiday or recreational purposes, whether in private or public ownership, which:

- (a) consists of a single enterprise in which accommodation is supplied by means of short term rental or time sharing only, and
- (b) may include the provision of a camping site, mobile home park and dwelling units,
- (c) may also include a restaurant and indoor and outdoor recreation facilities, and
- (d) may include a boutique hotel and lodge;

**"home occupation"** means the practicing of an occupation, or trade, or the conducting of an enterprise from a dwelling unit by one or more occupants of the dwelling unit; provided the dominant use of the dwelling unit concerned shall remain for the living accommodation of a single family, and the provisions pertaining to home occupation in this by-law are adhered to;

**"hotel"** means property used as a temporary residence for transient guests, where lodging and meals are provided, and may include associated conference and entertainment facilities that are subservient and ancillary to the dominant use of the property as a hotel; as well as premises which are licensed to sell liquor for consumption on the property, but does not include an off-sales facility;

**"infill" (also called implosion or intensifying)** means encouraging growth within the existing urban fabric rather than going beyond the existing edge. Infilling utilises unused and under-utilised land, gives definition to currently excessive and ill-defined areas of public open space, promotes more compact urban environments and generates economies of scale;

**"integrated development"** means a form of development where different actions support each other and set up positive relationships with each other;



**“interim urban edge”** means the current outer extent of actual urban development;

**“medium-term urban edge”** means a planned urban edge as part of an SDF approved in terms of Section 4(6) of LUPO;

**“motel”** means a hotel, which is specifically designed for the convenience of motorists and includes the provision of parking facilities;

**“normative”** means something which describes norms and standards based on a set of ethical values;

**“petro-port”** means a facility with direct access from a freeway, inter city road or major transport route which provides a range of rest, service and fuelling facilities for light motor vehicles, and includes emergency vehicle breakdown services, but does not include a truck stop;

**“place”** means that the concept of place recognises the importance of uniqueness and requires that uniqueness be enhanced, not destroyed. It relates to both the natural and the built environment;

**“place of assembly”** means a public hall, a hall for public (social) functions, a music hall, a concert hall, a hall for display which is not directly related to a commercial enterprise, a town hall or a civic centre;

**“place of instruction”** means a crèche, pre-primary school, school, college, technical institute, university, research institution, convent, (public library), public art gallery, museum or other centre of education and includes an associated hostel, but excludes a building or erf which is intended in total or mostly as a certified school, correctional facility or reformatory or industrial school or reformatory;

**“place of worship”** means a church, synagogue, mosque, temple, chapel or other place for practicing a faith or religion, and includes any building and a residence associated therewith, but does not include a funeral parlour, cemetery or crematorium with related chapel;

**“plant nursery”** means a property which is used for the sale of plants, gardening products and gardening equipment;

**“reinforcement”** means that facilities reinforce each other when they are clustered together, with nodal, structural, spatial, climatic and visual advantages;

**“resort”** means facilities for overnight tourism accommodation which sleeps more than 15 people;

**“restaurant”** means a commercial establishment where meals and liquid refreshments are prepared and/or served to paying customers for consumption on the property, and may include licensed provision of alcoholic beverages for consumption on the property;

**“retirement village”** means a group housing that conforms to the following additional conditions:

- (i) each dwelling unit shall be owned by a person who is 50 years of age or older, and occupied by at least one person who is 50 years of age or older,
- (ii) a range of care and other facilities shall be provided to the satisfaction of the Council, and
- (iii) additional development management provisions may in respect of a retirement village be determined by Council;

**“rural development”** is a multi-dimensional term, whose meaning encompasses: improved and sustainable provision of services to rural communities; enhanced opportunities for rural income generation and local economic development; improving the functionality and integrity of ecosystems; upgraded physical infrastructure; social cohesion and physical security within rural communities; upholding rural cultural values and lifestyles; active representation in local political processes; and provision for the vulnerable. (Adapted from RSA Integrated Sustainable Rural Development Strategy (ISRDS) 2000)

**“scale”** means the extent of development relative to its natural and built environment;

**“service station”** means property for the retail supply of fuel and includes trading in motor vehicles, oil, tyres or motor spares, the repair or overhauling of motor vehicles and washing of vehicles, but does not include spray-painting, panel beating, blacksmithery or body work. Any portion of a shop or business premises which incorporates facilities for retail supply of fuel for the use of motor vehicles, shall be deemed a service station;

**“service trade”** means an enterprise which is:

- (i) primarily involved in the rendering of a service for the local community such as the repair of household appliances or the supply of household services, and
- (ii) not likely to be a source of disturbance to surrounding properties, and
- (iii) employs at most 10 people, and
- (iv) not liable, in the event of fire, to cause excessive combustion, give rise to poisonous fumes or cause explosions, and
- (v) includes a builder’s yard and allied trades, laundry, bakery, dairy depot and similar types of uses, but
- (vi) does not include an abattoir, brick-making site, sewage works, service station or motor repair garage;

**“site development plan”** means a plan that shows details of proposed development, including:

- existing biophysical characteristics of the property
- the layout of the property indicating the use of different portions of the property
- the position, use and extent of buildings
- sketch plans and elevations of proposed structures including information about their external appearance
- the alignment and general specification of vehicle access, roads, parking areas and pedestrian footpaths
- typical details of fencing or walls around the perimeter of the land unit and within the property
- electricity supply and external lighting proposals
- provision for the disposal of stormwater, sewage and refuse
- water supply
- external signage details
- general landscaping proposals including vegetation to be preserved, vegetation to be removed, vegetation to be planted, external paving, and measures for stabilising outdoor areas where applicable
- the phasing of the development
- the proposed development in relation to existing and finished ground levels, including excavation, cut and fill
- statistical information about the extent of the proposed development, floor area allocations and parking supply
- any other details as may reasonably be required by the Council;

**“stewardship”** refers to the wise use, management and protection of that which has been entrusted to somebody or is rightfully theirs. Within the context of conservation, stewardship means protecting important ecosystems, effectively managing invasive alien species and fires, and grazing or harvesting without damaging the veld;

**“sustainability”** means a sustainable system which can continue to operate successfully indefinitely;

**“symbiosis”** means a mutually beneficial relationship;

**“systematic biodiversity plan”** means a plan which identifies which areas are of highest priority for conservation to ensure sustainable development, especially in the face of climate change. It is an approach to conservation that prioritises actions by setting quantitative targets for biodiversity features (e.g. vegetation types). It is premised on conserving a representative sample of biodiversity pattern, including species and habitats (the principle of representation), as well as the ecological and evolutionary processes that maintain biodiversity over time (the principle of persistence). It recognizes that the whole landscape must be planned and managed strategically to ensure sustainable development. Biodiversity plans are also known as conservation plans;

**“threshold of support”** means the minimum level of support necessary to make the provision of goods and services viable;

**“transformation”** means the physical or legal alteration of the land use as a result of the undertaking of any activity;

**“unique agricultural land”** means land that is or can be used for producing specific high value crops. It is not usually high potential but important to agriculture due to a specific combination of location, climate or soil properties that make it highly suited for a specific crop when managed with specific farming or conservation methods. This includes land of high local importance where it is useful and environmentally sound to encourage continued agricultural production, even if some or most of the land is of mediocre quality for agriculture and is not used for particularly high value crops;

**“urban areas”** means areas situated within the urban edge (as defined or adopted by the competent authority), or in instances where no urban edge

or boundary has been defined or adopted, it refers to areas situated within the edge of built-up areas.

## APPENDIX A: CONSERVATION STEWARDSHIP OPTIONS<sup>5</sup>

### What are stewardship options?

Stewardship options refer to the alternatives available to private landowners that either wish to set land aside for conservation or utilize the land sustainably.

#### 1. Voluntary Conservation Areas

**Conservation Areas are flexible options with no defined period of commitment.**

##### (i) Applicability

Any natural land is suitable, but if the land has rare or endangered habitats this option is not recommended, unless this is seen as part of a plan to progress to higher conservation security.

##### (ii) Duration

No specific duration is specified. A Conservation Area is valid for as long as the landowner wishes the designation to be valid.

##### (iii) Zoning

The existing zoning of the land (e.g. Agriculture) may remain - re-zoning is not necessary.

##### (iv) Access

Landowner determines who may have access, apart from CAPENATURE. CAPENATURE must notify landowner of intended access

##### (v) Legal status

Conservation Areas have no legal status and they are entered into purely on a voluntary basis. Therefore when the property is sold, the new owner

is under no obligation to continue the designation as no restrictions are placed on the title deeds, and there is no legal contract involved.

**(vi) Conservancies** are NOT, in terms of the legislative definition, protected areas. They are informal collaborative management arrangements between neighbouring landowners and/or communities, regarding mutual environmental management goals. They are usually registered with provincial conservation agencies, but as they involve no formal management or long term security for the biodiversity they contain, conservancies should not be viewed as protected areas and should only be eligible for the appropriate incentives ie where the incentives encourage collaborative effort which allows or protects landscape scale processes eg fire management ,invasive plant management and natural corridors .

Conservancies are, however, a useful stepping stone to get people to co-operate with each other, and provide a valuable platform for interaction and communication with a larger group of people - particularly efficient for conservation extension personnel. Specific or key properties within a conservancy could be upgraded and declared as protected areas in terms of the Act.

It is important to note that conservancies do however provide an important voluntary land use limitation mechanism and provide important buffers to sensitive environments especially in landscapes where many landuse practices limit or interrupt natural processes across the landscape,

##### (vii) Possible land use limitations

There are very few limitations placed on the landowner other than the area needs to retain its natural character. The landowner would still need to comply with all relevant, existing legislation.

##### (viii) Recognition

A property can be officially recognized as a Conservation Area once the owner fills in an application form, and this is approved by the conservation agency. A certificate of recognition could be awarded for the property or properties in the case of a conservancy.

##### (ix) Benefits to the landowner<sup>6</sup>

<sup>6</sup> These benefits or incentive measures for all the stewardship options mentioned here, were available at the time of writing this report, and specific to what CapeNature could provide. Therefore the list is by no means exhaustive and could differ according to which provincial agency or organization is implementing stewardship.

<sup>5</sup> Extracted from the "Stewardship Operational Procedures Manual" (CapeNature, 2007)

It is suggested that benefits offered at this level should include professional advice and support from the agency through basic extension services.

- Basic habitat management guidelines and best practice advice
- Assistance with management plans and could be provided but at a very basic level and without as much time investment of the extension officer as would be provided for in management plans for the other two stewardship options.
- Farm maps can be compiled and printed for the landowner.

## 2. Biodiversity Agreements

**Biodiversity Agreements are negotiated legal agreements between the conservation agency and a landowner for conserving biodiversity in the medium term.**

### (i) Applicability

This option is suitable for conservation worthy land which is in a relatively pristine condition, including small isolated fragments. Alien plant infestation does not disqualify a property from receiving this status, provided the densities are such that they can still be managed and the habitat restored. Generally, if threatened ecosystems are represented, this status is insufficient and a higher status should be considered.

### (ii) Duration

A minimum of 10 years is suggested.

### (iii) Zoning

The existing zoning of the land (e.g. Agriculture) may remain - re-zoning is not necessary.

### (iv) Access

The landowner, his or her family and permitted friends can access the conserved area, provided the access is consistent with the provisions of the legal agreement.

General public are not permitted to access the conserved area, unless agreed to by the conservation agency (this is to protect the privacy of the landowner, but is not intended to limit ecotourism opportunities that the landowner might want to pursue – this can be accommodated for by consulting with the agency).

The agency must notify landowner of intended access, but has the right to access the property to fulfill their obligations under the Management Plan, to undertake scientific research and to ensure proper management and compliance in terms of the legal contract.

### (v) Legal status

This option does have legal status by virtue of a legal contract entered into between the landowner and the agency. However, the restrictions are not placed on the title deeds. Security is provided for the land in that should the landowner or agency not adhere to any of the terms in the contract or the Management Plan, then the other party can be prosecuted for breach of contract and may take any necessary measures to remedy the breach and recover costs and any damages from the offending party

The Biodiversity Agreement Stewardship option is catered for in the National Environmental Management: Biodiversity Act, which caters for a Biodiversity Management Agreement (BMA) to implement any Biodiversity Management Plan. Any person or organisation may submit a plan to the Minister for approval.

The biodiversity management agreement in terms of the act, is intended to formalise the emerging relationships between government and landowners and communities, but remains an adaptable and flexible option.

*\* This seemingly obscure conservation option may very well be a vital means of making landowners eligible to receive assistance from government for land management in future. This assistance could be in the form of alien clearing investment from Working from Water, dedicated extension support from a conservation agency, or the ability to deduct land management expenses from income tax. A BMA should flow directly from a Biodiversity Management Plan. Because a landowner must consent to a BMA, there is an obvious element of willing compliance.*

### (vi) Possible landuse limitations

The land must be managed in such a way that will support natural processes, which generally excludes any activity that may adversely impact any indigenous fauna and flora or their habitats and the natural state and flow of any water resource such as construction, prospecting, mining, subdivision, dumping, or commercial hunting.

#### **(vii) Recognition**

A property can be officially recognized as a Biodiversity Agreement once the owner signs the contract with the agency.

#### **(viii) Benefits to the landowner**

It is suggested that benefits offered at this level should also include professional advice and support from the agency through more advanced extension services than offered to Conservation Areas. Specific habitat management assistance such as alien plant clearing, fencing, fire & game management could be contemplated, according to the resources available to the agency.

The agency will draw up a Management Plan for the property (which in itself could save the landowner substantial consulting fees), with the input and consent of the landowner to guide and schedule management actions. All other incentives available to Conservation Areas are also applicable.

### **3. Contract Nature Reserves**

**Contract Nature Reserves are legally recognized contracts or servitudes on private land to protect biodiversity in the long term.**

#### **(i) Applicability**

This option is advised for critically important sites, especially those that contain examples of threatened ecosystems (such as renosterveld or lowland fynbos) or contain unique and exceptional biodiversity features. Areas that have been previously disturbed (e.g. old agricultural fields) would generally not qualify for this status. As with the Biodiversity Agreements, alien plant infestation does not necessarily disqualify a property from receiving this status, provided the densities are low and the habitat is restorable.

#### **(ii) Duration**

These agreements are applicable in perpetuity (i.e. forever)

#### **(iii) Zoning**

The conserved area must be rezoned to Open Space III (Section 8 Regulations) and include a signed Biodiversity Agreement and title restrictions.

#### **(iv) Access**

The landowner, his or her family and permitted friends can access the conserved area, provided the access is consistent with the provisions of the legal agreement.

General public are not permitted to access the conserved area, unless agreed to by the conservation agency (this is to protect the privacy of the landowner, but is not intended to limit ecotourism opportunities that the landowner might want to pursue – this can be accommodated for by consulting with the agency).

The agency must notify landowner of intended access, but has the right to access the property to fulfill their obligations under the Management Plan, to undertake scientific research and to ensure proper management and compliance in terms of the legal contract.

#### **(v) Legal status**

This option has secure, legal status on three levels:

- According to the new Protected Areas Act, No. 57 of 2003 any land (private, communal or municipal) can be contracted into a National Park or Provincial Nature Reserve, which implies that an entire cadastral property or merely a portion of one can be recognized as a national protected area.

Contract Nature Reserves must be declared a provincial nature reserve by the provincial MEC. For this to be effected, the landowner and MEC must sign a letter of consent to declare it a nature reserve, which must also include the restrictions for the site. This document is known as the "Agreement to Declare a Nature Reserve and Consent to Assign Management Authority".

- A legal contract (also referred to as a Protected Area Management Agreement for the site) is entered into between the landowner and the agency.
- A Notarial Deed is drawn up for the site detailing the restrictions which are placed on the title deed. This Notarial Deed is lodged at the deeds office and must be signed by the Notary Public. When the property is sold, the new owner is obliged to continue adhering to the restrictions in the notarial deed. This may also be referred to as a "Management Servitude" it equates to a Covenant in US and AUS.

**(vi) Legal requirements:**

The consent agreement would have to be signed by the MEC the landowner and the CEO of CapeNature in the case of Nature Reserves.

- There are specific limitations and restrictions on Nature Reserves:
- There must be a management authority (in theory, this could be the owner) and a management plan must be drawn up.
- Access to privately-owned land must be governed by some agreement with the management authority; it is not necessarily open to the public, and the landowner does not have automatic rights to allow anyone to access the land.
- No mining or prospecting is allowed within the contracted area.
- The restrictions are recorded on the title deed of the property; they bind future owners, and will be in force for a minimum period (usually not less than 30 years).
- Management arrangements for the land will be negotiated between the owner and the management authority. However, the investment of scarce resources should be optimised through focussing only on the most crucial management objectives, and through an equitable sharing of the costs of conservation. In many cases, the landowner might be in the best position to manage the land.

**(vii) Possible land Use limitations**

Development consistent with protected area status will be permitted, development rights must be sought from the appropriate authority. Currently the mandate lies with DEADP and the local authority. The landowners access and residence rights are unrestricted.

The land must be managed in such a way that will support natural processes, which generally excludes any activity that may adversely impact any indigenous fauna and flora or their habitats and the natural state and flow of any water resource such as construction, prospecting, mining, subdivision, dumping, or commercial hunting.

Commercial enterprises :

It is preferable to exclude commercial arrangements from contractual National Park or Nature Reserve agreements, and to cater for these separately. This exclusion is necessary because:

- The future of the conservation provisions in a contractual area could be jeopardised by tying them to commercial ventures which could fail.
- It is useful to draw out the landowner's true intentions behind wishing to contract the land into a protected area.
- Several incentives applicable to the "Conservation Area" may be jeopardised by the presence of commercial enterprises (e.g. the property rates exclusion for contract protected areas is disallowed on commercial, residential, agricultural or industrial property).
- The Protected Areas Act provisions around co-management agreements (Section 42) demand immediate withdrawal of the protected area declaration for the private land concerned, should there be any breach of a Co-Management Agreement that permits any commercial enterprise.

**(viii) Recognition**

A property can be officially recognized as a Contract Nature Reserve once the MEC signs the letter of consent to declare it a nature reserve.

**(ix) Benefits to the landowner**

A significant incentive available in South Africa at this stage for Contract Nature Reserves is a municipal rates exclusion for the conserved area, as provided for in the Local Government Municipal Property Rates Act 2004.

This means that the landowner will not have to pay rates on the portion of their property that is subject to a stewardship contract, provided no commercial or agricultural activity takes place. The owner will still be liable for rates on any improvements to the property. (This does not apply to Biodiversity Agreements or Protected Environments because there is no long term security for biodiversity in terms of the rates foregone.)

The provision in the rates act which makes this incentive applicable states the following:

*"Section 17.1 (e)*

*Other impermissible rates  
17. (1) A municipality may not levy a rate—*

*(e) on those parts of a special nature reserve, national park or nature reserve within the meaning of the Protected Areas Act, or of a national botanical garden within the meaning of the National Environmental Management: Biodiversity Act, 2004, which are not developed or used for commercial, business, agricultural or residential purposes;"*

- It is suggested that substantial assistance from the agency should be provided for specific habitat management interventions, such as alien plant clearing, fencing, fire & game management, based on the resources available to the agency.
- These sites should also have preferential access to government land management programs, such as Working for Water.
- Enhanced recognition and marketing exposure could be provided by the agency through the agencies marketing networks (e.g. website, magazine articles), should the landowner want any ecotourism assets marketed.
- The agency will draw up a Management Plan for the property (in more detail than that for Biodiversity Agreement), with the input and consent of the landowner to guide and schedule management actions.
- All other incentives available to Biodiversity Agreements are also applicable.

In addition to existing incentives, others have been proposed – for example:

- All assistance and incentives relating to Biodiversity Management Agreements should also be made available to contract protected areas (e.g. assistance from conservation agency staff in drawing up management plans, and

- A range of taxes and duties should be waived<sup>7</sup>, as the property concerned has been encumbered with restrictions in the public interest. This would include being exempt from transfer duty<sup>8</sup> should the property be sold, estate duty should it be inherited, and donations tax if the property or the servitude over it is donated to a recognised conservation agency

**(x) A summary comparison between biodiversity agreements and contract nature reserves**

<b>BIODIVERSITY AGREEMENTS</b>	<b>CONTRACT NATURE RESERVES</b>
<b><i>Similarities</i></b>	
Both have legal status due to a contract between the landowner and the agency.	
<b><i>Differences</i></b>	
Shorter, finite duration – minimum of 10 years.	Longer, infinite duration – valid in perpetuity.
Legal status – <u>not</u> recognized as a national protected area.	Legal status – recognized as national protected area or nature reserve in terms of the Protected Areas Act, 2003.
Conserved area does <u>not</u> require rezoning.	Conserved area does require rezoning to Open Space III.
Restrictions are <u>not</u> attached to the title deed (i.e. No Notarial Deed is drawn up)	Restrictions <u>are</u> attached to the title deed (i.e. A Notarial Deed is drawn up)

<sup>7</sup> Precedent for the waiver of transfer duty exists in the Provision of Land and Assistance Act of 1993. The future status of transfer duties is uncertain.



## APPENDIX B: TECHNOLOGY OPTIONS FOR BUILDING DESIGN, CONSTRUCTION AND MAINTENANCE

Several aspects contained in the Architectural Design Manual relate to the objective of achieving sustainable buildings (e.g. architectural design, material use, etc.) The following guidelines put forward technology options for building design, construction and maintenance, all directed at achieving sustainability of the built form.

### 1. Sustainable Building Guidelines

A sustainable building is not something that requires huge resources or great expertise to develop. With a little knowledge much can be gained at no extra initial costs, resulting in a more environmentally friendly and healthier living or working space, and with much lower operating costs. Some choices cost more up-front, but pay for themselves over the life of the building.

- Make sure that the proposed buildings and spaces (rooms) are “right-sized” (avoiding wasted accommodation and energy consumption). The savings can fund improved features, and energy efficient materials, fittings and performance.
- Use ‘local’ as far as possible: local materials, knowledge and skills will save transport costs, are often matched to local climatic conditions, and help develop/sustain local economies
- Consider using standard building material sizes where feasible to avoid waste and extra transport to remove waste from the building site.
- Indigenous vegetation and planting is best suited to the local soil and climate. Deciduous trees can help shade buildings in summer and allow sunlight to warm spaces in winter, reducing the need for heating and cooling.
- Be sensible rather than fashionable; avoid using fashionable trends when selecting finishes and other aesthetic choices because these often quickly deteriorate and require refurbishing. Rather choose materials and finishes that ensure healthy, comfortable buildings which can be economically cleaned and maintained. Avoid toxic materials and those with high levels of embodied energy (i.e. those that require large amounts of energy to manufacture, transport and construct).
- Water saving appliances are becoming generally available; including dual-flush toilets, low-flow showerheads and tap

aerators which are inexpensive and save huge amounts of water over their lifetime.

- Good sealing of doors and windows ensure optimum control of conditions in individual rooms or particular spaces in the building.
- Investigation of energy efficient, non-toxic insulation materials is important, such as treated organic fibre (waste timber) chip, recycled paper and possibly polyester.

It often makes sense to employ competent professionals familiar with technology and practices for sustainable buildings, as opposed to having to upgrade poorly performing buildings and pay for extra heating, lighting, air conditioning, water heating, etc.

2. **Character of building/architectural style:** There is a need to consider architectural style in rural areas, as well as larger developments that are to be developed on the urban edge or in the urban fringe. Developments built in sensitive environmental and cultural areas should blend in with the natural and cultural environment. There are a number of examples where holiday accommodation establishments have used the natural and/or cultural environment as part of their planning, with trees, plants, walls, etc., actually hiding the buildings visually. Examples include some coastal developments such as those in Noordhoek and in Wilderness.

3. **Materials:** Select recyclable materials which use the least embodied energy, require the least transport and produce the least pollution and waste. Some innovative alternative technologies are beginning to become better understood in South Africa and should also be investigated. Examples include the use of timber frames and panels, sand bags in timber frame, soil-cement and unfired clay bricks and cob or straw bale construction. The following table provides a list of technology options to consider.

<b>Building element</b>	<b>Conventional materials</b>	<b>Alternative choices</b>
Foundations, substructure	Concrete strip footings, reinforced concrete groundbeams, concrete raft foundations	Brickwork pillars/timber posts supporting suspended floors, rock / sand bags in shallow trenches. Substructure should be termite, and damp proof
Floors, paving	Concrete slab on DPM (Damp Proof Membrane), suspended reinforced concrete slab on frame / load-bearing brickwork	Composite sand-clay-fibre floors, suspended timber floor, suspended composite clay floor/ concrete/screed on permanent shutter – board/ timber or recycled roof sheets
Walls	230mm baked clay brick wall, 280mm cavity brick wall, concrete bricks	Soil cement bricks, timber frame with panels (timber, composite boards, or metal sheeting), stacked sand in containers in timber frame, unfired clay bricks, cob, strawbale
Windows and doors	Mild steel, meranti (imported rainforest “hard” wood), aluminium	Treated plantation timber (SA Pine, saligna) laminated recycled timber, uPVC Ensure windows and suitable opening sections and investigate “smart glass” to control sun loading / heat escape
Roof	Roof sheeting (“zinc” steel, aluminium, asbestos/ fibre cement), concrete roof tiles (on SA Pine structures), waterproofed reinforced concrete slabs	Fibre reinforced concrete/ clay roof tiles, timber board under water proof membrane, shingles, brick vaulted barrels, thatch, composite panels, water-proofed light-weight concrete screeds on shuttering, slate
Ceiling and insulation	Gypsum board, painted plaster, suspended composite boards, insulated with fiberglass quilt, reflective aluminium sheet	Timber – T&G, timber / composite boards, plywood, reeds/ bamboo. Insulation treated polyester, organic fibre, recycled paper
Finishes	Carpets, ceramic tiles, cement plaster, paints (acrylic/ enamel) veneered composite/ timber board	Tinted / painted finishes to concrete floors, clay / concrete tiles on screed, plantation timber, new environmentally friendly and ‘breathing’ paint types, clay/ gypsum plasters
Services	Piped water supply, sewer drains, ESCOM electricity, municipal garbage disposal, municipal storm water drains	The alternative services are discussed elsewhere, but should look to using on-site sources (rainwater/ solar/ wind energy), and recycling to avoid waste
Fixtures, fittings and furniture	Electrical geysers, incandescent and fluorescent lights, standard 20 litre flush toilets, baths, electrical stoves and fridges, air conditioning, electrical heaters	Solar heaters, energy efficient light bulbs, water saving cisterns, showers, gas stoves, fridges and heaters, fans

4. **Lighting:** CFL's (Compact Fluorescent Lights) and LED's (Lighting Emitting Diodes) should be used for light wherever possible. These lights are a lot more efficient than normal incandescent lights and are therefore extremely cost-effective. They come in a range of shapes and sizes and 'eco-tone' or natural looking colours.
5. **Rainwater capture:** Potential does exist for the collection of rainwater run-off. For every 100m<sup>2</sup> and every 10mm of rain, 1000 litres of water could be gleaned and stored for future use, such as for irrigation and swimming pool purposes. There are concerns that storage of this water is not always economically viable. This is due to the equipment required for storage and transporting of the water for use. However, use of rainwater to top up swimming pools is cost-effective by channeling the water directly into the pool.
6. **Grey-water Re-use:** Grey-water is the water from showers, baths, basins and laundries. This water can be captured before it flows into the municipal sewerage system. Black water is the water from toilets and can not be reused directly. Grey water can be used for irrigation purposes. The length of time this water can be stored is usually limited to 24 hours. The architect will need to speak to a qualified technician about installing such a product before the plans are finalized in order to make the necessary adjustments. However, this has potential for enormous cost savings and the separation of the grey and black water piping systems is most cost-effective when done during construction. It should also be noted that with the use of a bio-filter, the purchasing of cleaning products and detergents for use at the holiday accommodation establishments will need to be changed to environmentally friendly products to ensure that the biological organisms are not harmed.
7. **Energy Efficiency:** Use passive solar design to reduce energy consumption and thus the need for extra equipment such as air conditioning, and to ensure comfortable living:
  - North orientation to ensure that as many well-used spaces face north as possible. Sun control is more difficult on east and west facing windows. South facing windows can capture good reflected light from the sky and elsewhere, but very little solar energy.
8. **Install Solar Water Heaters:** While these are relatively expensive, they result in substantial savings on electricity bills given that water heating is the biggest part of electricity use profiles in most holiday accommodation establishments.
  - Good insulation in the roof and walls to keep the inside temperature warm in winter or cool in summer.
  - Suitable roof overhangs to let in the lower winter sun but shade from the hot-summer sun.
  - Sensible fenestration (windows) to allow in the light and catch the winter sun, but not too much window area so that warmth or coolness cannot be retained inside when needed. Windows can be combined with shading and reflecting devices such as overhangs, screens, shutters, awnings, trees, planting, different glass types to control the amount, quality and time of daylight entering the building.
  - Suitable ventilation for fresh air and cool breezes in order that rooms can be ventilated using airbricks, opening windows or forced ventilation.
  - Natural lighting through windows and light wells.

## **APPENDIX C: WASTE MINIMISATION GUIDELINES FOR HOLIDAY ACCOMMODATION ESTABLISHMENTS**

Examples of waste generated in the operation of holiday accommodation establishments include:

- Food waste (both from preparation and waste cooked food)
- Packaging (paper, plastic, cardboard)
- General paper from newspapers and administration
- Glass bottles
- Plastic bottles
- Waste chemicals, soaps, detergents, pesticides and fertilizers
- Garden/estate waste
- Metal cans
- Light bulbs
- Toner cartridges
- Waste water from kitchens, laundry and ablutions
- Sewage
- Waste from maintenance activities (paints, thinners, structural elements)
- General waste

Examples of additional wastage are:

- Excessive electricity consumption for lighting and air-conditioning
- Excessive water usage

Guidelines for the design and operation of holiday accommodation establishments are presented overleaf in tabular format.

ISSUE	OPTIONS/OPPORTUNITIES/CONSIDERATIONS
<b>HOLIDAY ACCOMMODATION DESIGN PHASE</b>	
<b>Energy Wastage</b>	
Air-conditioning	<ul style="list-style-type: none"> <li>• Structure orientated to optimise use of ambient weather and climate conditions for heating and cooling</li> <li>• Solar glazing or energy efficient windows to reduce need for air-conditioning</li> <li>• Insulation to reduce the need for air-conditioning</li> <li>• Programmed on/off timers or preferably a computerised Building Management System for control of air-conditioners, particularly in low usage areas such as conference halls</li> <li>• Natural air flow used in preference to air-conditioning wherever possible</li> </ul>
Door management	<ul style="list-style-type: none"> <li>• All external doors leading to 24 hour air-conditioned areas fitted with either revolving or automatic shutting devices wherever possible</li> </ul>
Lighting	<ul style="list-style-type: none"> <li>• Natural light used wherever possible during the day in preference to artificial light (trade-off between using large windows for use of sunlight but this may require additional air-conditioning)</li> <li>• Programmed lighting (especially in low usage areas such as conference halls)</li> <li>• Low voltage or compact fluorescent lights used in place of incandescent globes</li> </ul>
Refrigeration	<ul style="list-style-type: none"> <li>• Cold rooms and freezers fitted with counter-weight doors to ensure that they cannot be left open unnecessarily</li> </ul>
Heating	<ul style="list-style-type: none"> <li>• Multiple boilers to permit the minimum amount of water being heated to supply patrons/occupants</li> <li>• The use of solar heating maximised</li> </ul>
<b>Water wastage</b>	
Ablutions	<ul style="list-style-type: none"> <li>• Washbasin taps fitted with flow reduction devices or aerators and motion sensors to ensure that they cannot be left running</li> <li>• Toilets fitted with reduced flow or preferably or dual flush systems</li> <li>• Urinals fitted with motion sensors and not continuous automatic flushing</li> </ul>
Gardens	<ul style="list-style-type: none"> <li>• Only plants adapted to the local climate used in landscaping to reduce the need for excessive watering</li> <li>• Timed irrigation systems for garden irrigation</li> <li>• Storm water catch-pits for use in garden irrigation</li> <li>• If biodegradable, non-toxic soaps, shampoos and detergents are used exclusively in the resort, these waste water streams can be directed to catch ponds for re-use in irrigation</li> </ul>
<b>Waste water management</b>	
Waste water segregation	<ul style="list-style-type: none"> <li>• Various waste water streams segregated so that re-usable/recyclable water is separated from treatable or disposable waste water</li> </ul>
Grease traps	<ul style="list-style-type: none"> <li>• All drains fitted with grease traps which are included in a maintenance schedule</li> </ul>
Vehicle wash bay	<ul style="list-style-type: none"> <li>• A vehicle wash bay constructed that ensures that contaminated water is routed to the correct waste water stream and not stormwater systems</li> </ul>
<b>HOLIDAY ACCOMMODATION OPERATION</b>	
<b>Energy management</b>	
Air-conditioning	<ul style="list-style-type: none"> <li>• Air-conditioning on regular maintenance schedule to ensure optimum operation</li> </ul>
Door management	<ul style="list-style-type: none"> <li>• All external doors leading to 24 hour air-conditioned areas kept shut to limit the load on the air-conditioning units</li> </ul>

<b>ISSUE</b>	<b>OPTIONS/OPPORTUNITIES/CONSIDERATIONS</b>
Lighting	<ul style="list-style-type: none"> <li>• Low voltage or compact fluorescent lights used wherever possible</li> </ul>
Appliance usage	<ul style="list-style-type: none"> <li>• Energy efficient appliances used wherever possible</li> <li>• Any washing appliances (such as dish and clothes washing machines) at the minimum effective temperature</li> </ul>
Heating	<ul style="list-style-type: none"> <li>• Only sufficient water heated to supply the needs of current occupancy</li> </ul>
<b>Water management</b>	
Ablutions	<ul style="list-style-type: none"> <li>• All ablation facilities on a scheduled maintenance programme to detect and repair any leaks or malfunctioning control devices</li> </ul>
Gardens	<ul style="list-style-type: none"> <li>• Irrigation during the evenings and not during daylight hours</li> <li>• Watering hoses fitted with trigger gun spray nozzles</li> <li>• Taps to be fitted with locks to prevent unauthorised use, and included on a maintenance schedule to detect and repair leaks</li> </ul>
Washing appliances (dishwashers and washing machines)	<ul style="list-style-type: none"> <li>• Appliances filled only to the minimum level required for effective functioning</li> <li>• Appliances used only when sufficiently full to warrant operation</li> </ul>
General cleansing operations	<ul style="list-style-type: none"> <li>• High pressure hoses used wherever possible to reduce water consumption</li> <li>• Physical brushing or sweeping used in preference to water cleansing wherever possible (e.g. cleaning pathways)</li> <li>• Car/vehicle washing only in the designated vehicle wash bay</li> </ul>
Re-use of towels/linen	<ul style="list-style-type: none"> <li>• Guests provided with options of re-using the same towels/linens as opposed to them being washed on a daily basis wherever possible</li> </ul>
Cooking/food preparation	<ul style="list-style-type: none"> <li>• Water for washing fresh produce during preparation should be kept to a minimum and recycled</li> </ul>
Swimming pools	<ul style="list-style-type: none"> <li>• Backwash water recycled</li> </ul>
<b>Waste water management</b>	
Waste water segregation	<ul style="list-style-type: none"> <li>• Procedures for waste water segregation strictly observed at all times</li> </ul>
Grease traps	<ul style="list-style-type: none"> <li>• All grease traps included in a maintenance schedule</li> </ul>
<b>Purchasing</b>	
Amenity dispensers	<ul style="list-style-type: none"> <li>• Refillable amenity dispensers (such as shampoos and soaps) purchased wherever possible to reduce the volumes of packaging waste or products in which the minimum of packaging required is used</li> </ul>
Bulk purchasing	<ul style="list-style-type: none"> <li>• Wherever possible bulk purchasing favoured to reduce packaging waste</li> </ul>
Chlorinated chemicals	<ul style="list-style-type: none"> <li>• Wherever possible the use of chlorinated chemicals avoided and substituted with non-chlorinated alternatives</li> </ul>
Source locally	<ul style="list-style-type: none"> <li>• Wherever possible products and services be sourced locally</li> </ul>
Biodegradable/non-toxic products	<ul style="list-style-type: none"> <li>• All detergents, disinfectants etc. should be biodegradable to reduce the volume of waste water requiring off-site treatment (including shampoos and soaps) and to permit the waste water to be recycled</li> </ul>
Returnable packaging	<ul style="list-style-type: none"> <li>• Suppliers offering returns of packaging favoured wherever possible</li> </ul>
<b>Chemical storage and handling</b>	
Decanting from bulk storage containers	<ul style="list-style-type: none"> <li>• Decant only the amount of the substance required to prevent wastage</li> <li>• Any excess stored for future use wherever possible</li> <li>• Decanting using pumps or dippers to reduce spillage</li> </ul>
<b>Estate management</b>	
Watering	<ul style="list-style-type: none"> <li>• Irrigation kept to a minimum</li> </ul>

<b>ISSUE</b>	<b>OPTIONS/OPPORTUNITIES/CONSIDERATIONS</b>
Pesticides	<ul style="list-style-type: none"> <li>• Biodegradable pesticides used wherever possible</li> <li>• Strict adherence to application specifications</li> </ul>
Fertilisers	<ul style="list-style-type: none"> <li>• Biodegradable or organic fertilisers used wherever possible</li> <li>• Strict adherence to application specifications</li> </ul>
<b>Renovations/building maintenance</b>	
Paints	<ul style="list-style-type: none"> <li>• Water-based paints used wherever possible</li> </ul>
Renovations/maintenance	<ul style="list-style-type: none"> <li>• Renovations and maintenance planned to minimise the production of waste</li> <li>• Waste segregation and recycling planned prior to commencement</li> <li>• Any waste generated segregated to maximise re-use or recycling</li> </ul>
<b>Catering/events management</b>	
Paper usage	<ul style="list-style-type: none"> <li>• Paper in the administration section re-used wherever possible even if only in the production of internal note pads</li> </ul>
Disposable cups etc.	<ul style="list-style-type: none"> <li>• The use of disposable cups except in cases where they are biodegradable or recyclable avoided for functions wherever possible</li> </ul>
Decorations	<ul style="list-style-type: none"> <li>• Decorations used in special functions and events re-usable wherever possible</li> </ul>
Condiment containers	<ul style="list-style-type: none"> <li>• Refillable condiment containers favoured over individually wrapped alternatives wherever possible</li> </ul>
<b>General waste management</b>	
Waste minimisation/management plan	<ul style="list-style-type: none"> <li>• A formal waste minimisation/management plan implemented and maintained to continually improve waste minimisation and reduction efforts</li> </ul>

## ANNEX 1: CALCULATION OF DENSITY NORMS

### 1.0 RESORT DEVELOPMENT

#### Density norm options:

The following resort density norms, in addition to other land use factors, environmental constraints and strategic context as detailed in Table 3, shall be used to establish the maximum number of units permitted on land units outside the urban edge.

(i) Water Source

Where there is either an established regional-scale dam of at least 1km<sup>2</sup> (maximum capacity), or a substantial natural hot spring, as a source, and provided that only one cadastral unit be linked to such a source: The maximum density will be calculated as 3 units per 2ha of the land effectively forming part of the resort and source (excluding water surface from the calculation). Should there be more than one cadastral unit linked to the source, a proportional share for each cadastral unit linked to the source has to be calculated based on mutual agreements with the point of departure being the respective cadastral units' frontage to the source and its size combined relative to the other cadastral units involved, with the total for all the cadastral units not exceeding 50 units in the case of a hot spring, or 50 units per km<sup>2</sup> of water surface in the case of a water body (in the latter case maximally 50 units per cadastral unit).

(ii) General Source

Where the source is general (i.e. the wider region) and the resort is not situated within 1km for the coast, a lagoon or a river (minor tributaries excluded) then in accordance with the following:

1 unit/10ha to a maximum of 10 units per cadastral unit

(iii) Linear Source

Where the resort is situated within 1km from the coast, a lagoon or a river, or a mountain range (i.e. the source is linear) then in accordance with the following table (note: the first two columns below must both be complied to; if not, the previous row i.t.o. which the land complies, will apply):

Frontage on linear source	Size of cadastral unit	Units
< 1km	< 300ha	0
> 1km	> 300ha	2 (1 / 150-300ha)
> 2km	> 600ha	3 (1 / 200-300ha)
> 3km	> 900ha	4 (1 / 225-300ha)
> 4km	> 1200ha	5 (1 / 240-300ha)
> 5km	> 1500ha	1 per 300ha
> 5km	> 1500ha	50

In the event of the linear source being general as opposed to unique (i.e. where it can be associated to more than one property along it with an advantage to justify resort development thereon), a maximum of 10 units per cadastral unit will apply.

The above norms do not apply to resorts within urban edges, and furthermore do not apply in addition to units approved or to be approved under the agricultural-land policy of 1 additional non-alienable dwelling unit per 10ha to a maximum of 5 (i.e. in the latter case such number of units, if already approved, are to be subtracted from the number of units yielded i.t.o. the above resort norms, or if considered afterwards, may only be approved to the extent that potential for units may still be existing i.t.o. the above resort norms). However, the above norms apply in addition to bona-fide farm or forestry employees' housing (i.e. those houses which are actually still being used for farm or forestry employees' housing purposes).

### 2.0 RURAL RESIDENTIAL DEVELOPMENT

#### Density norm calculation

The following density norms, in addition to other land use factors, environmental constraints and strategic context as



detailed in Table 3, including the desirability to consolidate, shall be used to establish the maximum number of units permitted on land units outside the urban edge.

- (i) The density calculation promotes consolidation of cadastral units, in order to avoid a situation of each current cadastral unit "seeking its share" which would lead to proliferation of this form of development at the cost of the Province's unique biodiversity and agricultural character.
- (ii) The maximum density will be calculated according to the following formula:  
Divide the total extent in hectares of the to-be-consolidated cadastral units by 1000 and multiply the answer by the number of cadastral units to be consolidated.
- (iii) Where the above calculation yields a number of dwelling units that is less than or equal to, or less than one-third more than, the total number of individual cadastral units to be consolidated, the latter number plus 1/3 of the number of cadastral units can be used to determine the total number of rural residential dwelling units as an alternative. However, should any of these land units have already exercised the right to develop a house, such number of already developed units must be subtracted from the latter total (which may nevertheless already include the 1/3 calculation addition before the latter subtraction).

The above norms apply in addition to bona-fide farm employees' housing, but do not apply in addition to units approved or to be approved under the agricultural-land policy of 1 additional non-alienable dwelling unit per 10ha to a maximum of 5 (i.e. in the latter case such number of units, if already approved, are to be subtracted from the number of units yielded i.t.o. the above rural residential development norms, or if considered afterwards, may only be approved to the extent that potential for units may still be existing i.t.o. the above rural residential development norms).

Norms for Rural Residential Development include (refer Table 2):

- (i) Maximum Number of Residential Units (subject to Density Norm):
  - 30 units if 2 or 3 cadastral units are consolidated
  - 40 units if between 4 and 9 cadastral units are consolidated
  - 50 units if more than 10 cadastral units are consolidated
- (ii) Maximum Floor Area:
  - Maximum floor area of unit including garaging : 175m<sup>2</sup>
- (iii) Exclusive Use Area:
  - Maximum disturbance of 250m<sup>2</sup>, including building footprint and space peripheral to dwelling unit for domestic purposes

However, on application to CapeNature, the biodiversity status of the area (i.e. Critical Biodiversity Area, Ecological Support Area, Other Natural Areas comprising large intact remnant areas, etc.) will inform final density considerations.

## **ANNEX 2: APPLICATION REQUIREMENTS FOR RURAL LAND USE CHANGE**

In addition to the locational guidelines and norms and standards detailed per land use in Table 3, the following requirements are put forward for rural land use change applications.

### **1. COMPILATION OF AN ENVIRONMENTAL MANAGEMENT MASTER PLAN (EMMP)**

The EMMP is to be drafted after the issuing of the Record of Decision (ROD) as part of the EIA process and will cover all phases of the development namely, planning, construction, and ongoing operational phases. It needs to be completed prior to the final approval of the layout plans for the development and should include:

- (i) Measurable objectives and goals that can be audited
- (ii) Methodology for proposal implementation, with measurable controls for implementation and funding
- (iii) Guidelines for the protection and monitoring of indigenous fauna and flora, archaeological and cultural/historic features (e.g. fencing-off frontal dunes and the provision of boardwalks across wetlands)
- (iv) Rehabilitation, restoration and landscaping programmes, techniques for the eradication and control of alien vegetation and the rehabilitation of indigenous vegetation (e.g. use of bio-control measures and ongoing erosion control measures)
- (v) A fire contingency plan (for buildings) and a fire management regime for the dominant vegetation type
- (vi) Provision and maintenance of services, such as storm water management, sewerage, water supply, electricity and telephone supply, refuse removal and roads, together with groundwater monitoring (i.e. water table levels and quality)
- (vii) Measures to minimise visual impact
- (viii) Provision for periodic/annual auditing to ensure compliance with the EMP with the resultant report to be presented to the municipality

- (ix) Indication of when and how audits must be undertaken, as well as penalties to be imposed and other actions to be taken in the event of non-compliance
- (x) Time scales and funding for the implementation of the EMP
- (xi) Where required, provision for the establishment of an Environmental Advisory Forum, representing relevant Interested and Affected Parties (I&APs) and authorities, to ensure that concerns are addressed. This forum should remain in place for at least the duration of the construction phase of the development
- (xii) Appointment of an Environmental Control Officer who will ensure supervision over environmental matters.

### **2. COMPILATION OF AN EMP FOR THE CONSTRUCTION PHASE**

The Construction EMP (CEMP) should be prepared in conjunction with the abovementioned EMMP and include:

- (i) An action plan which sets out the rules for the construction process
- (ii) Measures to be taken to restrict damage to a minimum during the construction phase, including:
  - protection of environmentally sensitive areas by temporary fencing and advisory signs;
  - indigenous vegetation and topsoil reservation prior to construction, for later re-use;
  - appropriate reservation of archaeological and cultural/historic features;
  - construction vehicles being restricted to a single site access road;
  - site runoff retardation and cleaning of silt and other pollutants via retention ponds and vegetated buffer areas;
  - phasing of vegetation clearance to minimize soil erosion and windblown sand;
  - replanting of vegetation on exposed areas as development proceeds; and
  - regular weeding out of exotic plant seedlings before they establish, with such weeding to be continued through subsequent maintenance phases.

- (iii) Any other measures required to ensure that any damage necessitated by the building process is properly rehabilitated afterwards

3. **COMPILATION OF A CONSERVATION MANAGEMENT PLAN**

Where heritage resources (as identified in terms of the National Heritage Resources Act, No 25 of 1999) co-exist spatially with the proposed development, Heritage Western Cape requires a Conservation Management Plan. This Plan must be included as part of a Phase II Heritage Impact Assessment and Report. Such plan must assess both archaeological impact and impact on the cultural-heritage landscape.

4. **DEVELOPMENT PHASING PROGRAM**

In the event of a large development being justified, the construction damage to the environment should be kept as low as possible. This may be done by dividing the proposed development into a number of development phases, provided that all phased aspects are applied for simultaneously and evaluated simultaneously.

While it would be essential to give consideration to the establishment of the development in total, final approval of rezoning is initially given in respect of Phase I only. Such development then has to be completed and all the conditions of approval complied with to the satisfaction of the appropriate authority (e.g. Municipality, DEA&DP). Only thereafter may sequential authorisation be given in respect of the subsequent phase(s).

This is a useful mechanism to be employed by local and provincial authorities to ensure compliance with the conditions of approval. All prescribed measures to promote conservation have to be put into place, and proper landscaping has to be undertaken, before the authorities grant subsequent phase approvals. Particularly where a site has been badly degraded by alien vegetation, the authorities can thus assure that a comprehensive rehabilitation programme have been followed to its satisfaction, before further phases are approved. An additional opportunity is also created for the authorities to re-

evaluate the situation and to impose further conditions, if deemed necessary.

Other added advantages of phasing include:

- (i) It ensures that resorts grow gradually, in accordance with demand
- (ii) It provides natural environmental recovery opportunities subsequent to each construction phase
- (iii) It serves as a mechanism to ensure that the provisions of the EMP are adhered to

It should be noted though, that where an application has been submitted only in respect of one phase of a future multi-phased development, the proposal for that specific phase will be regarded as a stand-alone, independent development (i.e. not dependent on subsequent phases for its financial viability). The granting of approval for such a phase should therefore also not be construed as any indication or guarantee that further phases will be authorised at a later stage.

Further phases will be the subject of additional decision-making processes, even though the application for the first phase will have to include all the phases required to evaluate cumulative impacts. If this is not acceptable to the applicant, the initial application must be submitted for the entire development as a "once-off" so as to enable comprehensive consideration of the full implications of the development.

To evaluate a single phase of a development, knowing that it is dependant on subsequent phases (e.g. provision of services, financial viability, etc), does not constitute informed decision-making. Recent court rulings pointed to the fact that piecemeal authorisation of components of a development, especially where important or essential components are deferred to a further EIA process, is not considered consistent with the principles of Integrated Environmental Management.

Decision-making without a clear understanding of, and full information on all the impacts involved, can only be regarded as uninformed decision-making. Similarly, an "in principle" approval, coupled with deferred EIA procedures still to be

undertaken, would also amount to the decision-maker pre-empting the outcome of those EIA procedures. The EIA Regulations in fact do not provide for "in principle" authorisations. The environmental impact of all listed activities must be evaluated and the outcome considered during decision-making.

## 5. **COMPILATION OF A SITE DEVELOPMENT PLAN**

While zoning schemes traditionally did not prescribe definitive parameters for developments occurring outside the urban edge, recent schemes require site development plans for both the rezoning and environmental authorisation application processes in order that a clear and comprehensive exposition of the intended development be made available for scrutiny.

A site development plan comprises a detailed graphical depiction of the exact intention and scope of a proposed development (refer definition). It is therefore very useful for the purposes of evaluation by the public and authorities, and it has the added advantage that it can be amended to incorporate the spatial conditions as prescribed by the various authorities. Subsequent to the municipality granting approval of the updated site development plan, it becomes the blueprint for the development. Only after the latter has been approved and any valid appeals, which might have been lodged, have been finalised, may construction commence.

## 6. **COMPILATION OF AN ARCHITECTURAL DESIGN MANUAL**

### 6.1 **General**

Over and above the parameters set out in the applicable scheme regulations and the National and Municipal Building Regulations, it should be required of all developers to submit an Architectural Design Manual to the relevant municipality (usually with submission of the site development plan). The aim of such manual, which covers all buildings to be erected, is to ensure proper aesthetic and architectural control over a development, thus also minimising any resultant negative visual impact. It is particularly applicable where buildings are to be developed by different owners (e.g. rural

residential development). The manual should, at least, address the following aspects:

- (i) Architectural style, and character of buildings, with special reference to the principles of creating sustainable, efficient and environmentally friendly buildings;
- (ii) fencing arrangements;
- (iii) materials and colours to be used;
- (iv) hard and soft landscaping;
- (v) height of buildings;
- (vi) lighting, including site illumination; and
- (vii) signage

### 6.2 **Character of buildings/architectural style**

In order to maintain the rural character of a local area, the style of any new development should, as far as possible, be restricted to the vernacular architectural style of existing buildings in the rural landscape. This aspect will have to be promoted by the municipality in pre-application meetings with the prospective applicants.

If the architectural style does indeed depart from what is considered to be the predominant local architecture, then such departure will need to be well motivated to justify its value and potential contribution to the local landscape and built environment.

In rural settlements, architectural style is an important consideration, especially when development occurs close to their urban edges or where sensitive environments are impacted. Successful blending of the new development with its natural or socio-cultural environment can often be achieved through sympathetic architectural and landscape design.

Buildings which are more environmentally friendly offer lower operating costs through the careful application of the design, construction and maintenance principles for sustainable buildings. These include:

- (i) The correct sizing of buildings and spaces within them in order to avoid wasted space and energy;
- (ii) appropriately sealing windows and doors to ensure optimum control of internal conditions;
- (iii) using "local" as much as possible, (i.e. local materials, local knowledge and skills), which will save on transport costs, better match local conditions and can contribute to developing and sustaining local economies;
- (iv) using standard material sizes to save on cost and waste;
- (v) using indigenous plant material for gardens which are best suited to local soil and climatic conditions;
- (vi) being sensible rather than fashionable; and
- (vii) using energy-efficient, non-toxic insulation materials.

### 6.3 **Materials**

In order to minimise the visual impact of the development, the architectural design and colour of the buildings should be as unobtrusive as possible. Accordingly, the materials employed and form of buildings should be harmonised with the natural setting or conform to the particular vernacular architecture of the region. The practical origin of vernacular architecture suggests the economical use of local labour and materials, as well as response to local climatic conditions.

Best results can be achieved if recyclable materials are selected which use the least embodied energy, require the least transport and produce the least pollution and waste. Some innovative, alternative building technologies are becoming better understood in South Africa and could be considered, provided they comply with the relevant building laws and by-laws. Appendix B provides a list of technology options that could be considered.

### 6.4 **Height of buildings**

It is important to restrict the height of buildings to avoid undue visual impact. The height and siting of buildings should be such that it does not impinge upon the natural skyline. Rooflines should approximate topographic contours and natural gradients and the roofs need to be coloured in accordance with the natural environment (e.g. dark green or charcoal, thatch).

It is important that the appropriate height of buildings be ascertained from site visits. The potential negative impact of a certain apex height of a roof can be fairly accurately assessed by placing flags on poles of similar height and viewing them from different vantage points. Such appropriate roof heights need to be aligned with building norms and standards.

### 6.5 **Fencing arrangements**

Given that rural developments (e.g. resorts) are normally set within natural areas embody a conservation character and include a harmonious design, the fencing of the individual units or the entire development should not be allowed.

Service areas, including washing lines, should nevertheless be screened, with such screening reflecting the same materials, colours and architectural style of the building. Where screening for privacy is necessary, timber fencing (natural, creosote or green) or planted hedges can also be considered. The height of fences should be limited to 1,2m and 1,8m for screen walls. Block walls, pre-cast concrete and elaborate visually detracting designs should not be allowed.

The parameters for fencing should be stipulated in the design manual (e.g. height, materials and colour) and the fencing of individual units must be subject to the granting of a waiver by the Home Owners' Association/Project Architect. This latter requirement must also be prescribed in the design manual.

## 6.6 Landscaping

Local indigenous vegetation should be employed to break the harsh, straight lines of buildings through screen planting, as well as for stabilising denuded dunes or other disturbed areas. Individual gardening, such as possibly in the case of freehold rural residential development units, should therefore entirely comprise indigenous vegetation.

As much as possible of the indigenous flora of the site should be retained, especially in areas subject to wind-blown sand. Only indigenous plants (endemic to a particular area), which are non-invasive and well adapted to the conditions in which they are growing should be employed in the landscaping of the development.

In order to reinforce the topographical form of the site, wind shelter and screen structures, and earthworks such as berms and mounds could be introduced as part of the landscaping of the site, if appropriate in terms of the natural landscape.

The general aim of rural landscaping should always be to integrate it with the natural environment and not to define or distinguish it.

## 6.7 Lighting

In order to preserve the rural/wilderness atmosphere within rural developments, light spillage at night should be kept to a minimum and all external lighting should be low-mast (i.e. preferably bollard-type) and down-cast lighting of a low intensity.

CFL's (i.e. compact fluorescent lights) and LED's (i.e. light emitting diodes) should be used for lighting wherever possible. CFL's and LED's are more energy efficient than normal incandescent bulbs and are therefore extremely cost effective. CFL's and LED's come in a range of designs and "eco-tones" or natural colours/shades.

## 6.8 Energy Efficiency

Passive solar design may be used to reduce energy consumption, the need for additional equipment such as air conditioning, and to ensure a comfortable living environment. Some important considerations include:

- (i) Northerly orientation of buildings (i.e. especially the most-used spaces);
- (ii) proper insulation of roofs and walls;
- (iii) suitable roof overhangs (i.e. to allow for winter sun penetration but provide summer shade and to prevent reflective glare from windows);
- (iv) sensible fenestration combined with shading devices where necessary;
- (v) suitable ventilation for fresh air and to capture cooling breezes;
- (vi) natural lighting through windows and light wells; and
- (vii) use of solar water heaters

## 6.9 Signage

All signage, that is directional, information and outdoor display advertising to promote proposed developments needs to be detailed in the Architectural Design Manual, and considered when conditions of approval are imposed. Where applicable, signage needs to comply with the SAMOAC guidelines for the rural landscape in order to reflect the rural character of the area.

## 7. PROVISION OF SERVICES

In order to achieve rural land use change approval, the applicant needs to submit proof that services can be provided satisfactorily, with no detrimental effect to the environment. All services have to be designed and installed to meet the full capacity requirements of the development at any point in time. Applicants are required to submit detailed service provision plans, addressing all aspects of services to be provided, including the sustainability of both bulk and internal services and covering aspects such as the source, quality and quantity of water to be provided, method of sewage disposal, solid waste

disposal, energy supply, road access, internal circulation and parking provision.

### 7.1 **Water Supply**

Developments should ideally, be self-sufficient. Where water supply infrastructure does not exist, the existence of an adequate, potable water source must be proven by a hydrological investigation. Information should be given on all aspects of underground sources, including quantity and quality. Appropriate monitoring will be required by the developer, with verification by the Department of Water Affairs and Forestry (DWA), to ensure that yields can be sustained. Potable water use should be calculated at 150 litres per person per day, with the quality conforming to SABS standards. The monitoring of water tables and water quality should be included in the EMP for the operational phase of the development.

Water usage should be managed, with innovative methods to augment water supplies, such as by rainwater capture being encouraged and water saving methods, such as the use of bio-filters to allow for the re-use of sewage water (i.e. for irrigation), dual flush toilets and low-flow shower heads being used in any new development. Grey-water from showers, baths, basins and laundries should be captured and used for irrigation purposes but should not be stored for more than 24 hours.

Water reservoirs can be allowed to be sited on high points of properties, subject to aesthetics not being adversely affected. Reservoirs should preferably be sunk into the ground, with berms and vegetation used for screening.

### 7.2 **Sewage**

Details must be provided of the sewage disposal system to be employed. Where in close proximity to urban environments, the development should preferably be linked to the municipal sewerage system. In rural areas,

where this may not be possible or feasible, the system must be designed in accordance with site-specific conditions (i.e. geology, percolation capacity of soils, slope and water table depth) to determine whether soak-away systems can be used without detriment to the quality of underground water.

Soak-away systems may not be used in coastal areas, or in the event of the soil not being unable to absorb liquid effectively. This may occur in areas with a very shallow water table, poor permeability, or where a shallow restrictive layer such as bedrock occurs. If a soak-away system can be used, this should be located downstream of drinking water supplies, the distance depending on the level of the water table. Where there is fissured rock, limestone or very coarse soil, ground water cannot safely be used for drinking purposes. Periodic monitoring of ground water quality should be undertaken, with such requirement being included in the EMP.

Where conditions are unsuitable for soak-away sanitation, a conservancy tank system or conventional water-borne system must be used. Innovative sewage disposal facilities, such as wetland/reed-bed systems, anaerobic digesters or composting toilets may also be considered.

### 7.3 **Waste Management (see Appendix C for details)**

Preferably, no solid waste should be allowed to be disposed of on the property. Apart from the negative visual aspects of disposal sites, leachates washed from landfill sites during heavy rains may pollute the groundwater, which in turn can pollute nearby lagoons and estuaries. The storage of waste must be to the satisfaction of the municipality and solid waste should accordingly be required to be transported to an approved refuse site in terms of legislation on a weekly basis. Waste management, i.e. waste separation, composting and recycling should be encouraged.

## ANNEX 3: CONDITIONS OF APPROVAL FOR RURAL

### LAND USE CHANGE

#### 1. **FACTORS TO CONSIDER WHEN SETTING UP CONDITIONS FOR REZONING APPROVAL**

Due to risks posed by development approvals outside of urban edges, it is emphasised that municipalities have to apply their minds to consider all aspects and to impose an adequately comprehensive list of conditions of approval. Measures should also be devised to ensure that these conditions are adhered to.

Before an application for a rural development can be entertained, it should be referred to other applicable provincial (or national) Departments or Institutions concerned. Conditions imposed by these bodies become part of the list of conditions to be complied with for rezoning (or consent). For example, in the provincial sphere, the following could apply:

- a) **Department of Environmental Affairs and Development Planning**  
According to the Regulations in terms of sections 24 and 24D of the National Environmental Management Act, an Environmental Impact Assessment (EIA) must be submitted to DEA&DP. If the application is acceptable, from an environmental point of view, a Record of Decision (ROD) will be issued. A list of conditions, aimed at mitigating the effects of the development (if approved), will accompany the ROD.
- b) **Department of Cultural Affairs and Sport**  
Development applications which include proposals for the creation of sport and/or recreational facilities, should be referred to this Department for advice.
- c) **Department of Water Affairs and Forestry**  
Rural development applications should be referred to this Department for comment. Any abstraction and use of groundwater or river water must be undertaken in a

sustainable manner. Sustainability of water supply is also required in terms of the Water Services Act, No. 108 of 1997.

Approval for the disposal of waste water and treatment of sewage should be obtained from the Department and disposal must at all times comply with the requirements of the National Water Act, No. 36 of 1998.

- d) **Provincial Department of Agriculture**  
Development applications are referred to this Provincial Department if the land is designated for agricultural purposes. If any development is to take place within 10m of the edge of a river, permission for development should be obtained in terms of the Conservation of Agricultural Resources Act, 1983. If the application involves the subdivision of agricultural land, permission will also be required in terms of the Subdivision of Agricultural Land Act, 1970 (Act 70 of 1970), administered by the national Department of Agriculture.
- e) **Department of Health**  
Any conditions stipulated by the Department should be included.
- f) **District Roads Engineer/Provincial Transport Branch**  
Development applications are referred to this Branch when access is to be obtained from a provincial road. This ensures that such access conforms to the Normal Standards (as per the Access Policy report of the Provincial Department of Transport).
- g) **National/Provincial Heritage Resource Agency**  
If any cultural or historic features are suspected to be present on the site, an archaeological investigation is to be undertaken and a permit for development obtained in terms of the National Heritage Resources Act.



- h) **CapeNature**  
 Applications are referred to CapeNature for comment if they occur in areas important for biodiversity conservation, or if the proposed negative impact on the ecological environment cannot be avoided. In addition, the EIA practitioner should determine if there are any issues relating to biodiversity that need to be addressed and this can be verified and/or the assessments reviewed by CapeNature. The biodiversity specialist must also attempt to determine if the site may qualify for the Conservation Stewardship Programme (refer Appendix A). It is also important to determine if there are any other legally binding mechanisms e.g. title deed restrictions that will assist in protecting the biodiversity on the site prior to approaching CapeNature.

Rural Residential Development applications shall be referred to CapeNature in order to verify that such development and land unit consolidation will substantially contribute to consolidation of the conservation estate. Rural residential development will require a "biodiversity agreement" or higher status (refer Appendix A).

## 2. **CONDITIONS FOR DEVELOPMENT CHECKLIST**

- Has the relevant biodiversity plan or Critical Biodiversity Areas Map been consulted to inform the proposed development?
- Refer Fynbos Forum Ecosystem Guidelines (de Villiers et al, 2005) for detailed ecosystem type (e.g. vegetation, wetland) management guidelines
- Locate proposed development within impacted or transformed areas
- Clustered development or sensitively placed
- Located adjacent to existing infrastructure or settlements, where possible, whilst still maintaining natural property linkages
- Small scale corridor linkages e.g. drainage lines within and between properties where possible
- Sustainable water supply that takes into consideration the "reserve" of the water source

- Bulk service capacity officially guaranteed
- Green Architecture and energy/water saving technologies.
- Avoid all wetlands
- Establish aquatic buffers, where necessary (river, estuary, wetland)
- Refer Western Cape PSDF Policy recommendations – Resource Use (Objective 9).
- Construction & Environmental Management Plan, which includes a storm-water & waste management plan (the latter to consider recycling).
- Compliance with Conditions of Approval need to be audited prior to EIA Authorisation through employment of an ECO

## 3 **CONDITIONS TO BE IMPOSED**

The following list can serve as a point of departure when conditions are imposed:

- number of units and positioning thereof
- units should be clustered in nodes
- size restriction on units and erven
- zoning restrictions to building platform \*
- building height restrictions
- roads, access, signage, servitudes
- high biodiversity value requiring some form of protection/security
- public access limitation to sensitive nature areas
- requirement for public access to places of interest
- securing access to resources and/or facilities on other properties
- appointment of environmental control officer
- compilation of EMP's
- rehabilitation to be undertaken/erosion prevention/fire fighting
- establishment of HOA, constitution, trust fund
- submission of site development plan
- architecture, architectural manual, landscaping
- services provision/standards
- water quality provision and testing
- prevention of pollution to water bodies and subterranean water

- compilation of a Conservation Management Plan and a Visitor Management Plan
- submission of an Integrated Management Plan
- completion of the resort within a specified period of time

In the interest of co-operative governance and integrated decision-making the different decision-making processes should be integrated and aligned as far as possible. In this regard, proper and timeous authority consultation is crucial.

*Should the development (i.e. units) be dispersed over a large area, the associated rezoning, if approved, must be granted in the form of fragmented spot zonings, respectively confined to the individual unit building platforms/portions. However, should the units be arranged in clusters or nodes, zoning the entire immediate cluster area for the required purposes may be considered, provided that the zoning boundary is drawn tightly.*