



GUIDELINES FOR RESORT DEVELOPMENTS IN THE WESTERN CAPE



DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND DEVELOPMENT
PLANNING

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FOREWORD



The Department of Environmental Affairs and Development Planning was assigned the responsibility of drafting a Western Cape Provincial Spatial Development Framework (WCPSPDF) as one of the Lead Strategies of iKapa Elihlumayo. The WCPSPDF is aligned with the National Spatial Development Perspective and other national policy frameworks, and endorses the vision of the Western Cape Provincial Government to create “A Home for All”.

The exploitation of our natural resources has made it apparent that drastic measures need to be introduced in order to save our beautiful Province for future generations. The WCPSPDF contains groundbreaking initiatives that will, if implemented correctly, ensure that the necessary spatial changes and improvements to our living environments will be eminent. The Guidelines for Resort Developments in the Western Cape is one of the projects earmarked by my Department to support the proposals of the Western Cape Spatial Development Framework and its related Urban Edge Guidelines.

Increasing affluence, mobility and available leisure time among the middle to high income classes have resulted in a rapid increase in the demand for tourist facilities worldwide. The Western Cape has, for a number of years experienced a notable increase in development pressure, which relates strongly to the province’s natural splendour and favourable conditions created by the advent of our new democracy. Developing countries, such as South Africa, are often well-endowed with tourist attractions and stand to gain substantially from the growth in the global and local tourism industry. However, the exploitation and management of recreational and tourism resources, in a sustainable manner, should be heeded.

The Guidelines for Resort Developments address, amongst others, aspects relating to resort developments in the rural areas of the Western Cape, outside the edges of urban areas and within sensitive areas on the urban fringes. It supports the Urban Edge Guidelines, together with other guidelines such as those for golf courses, polo fields and associated estates, and reaffirms such guidelines to ensure that development sprawl and leapfrogging do not negatively affect the natural and/or historical rural character of this beautiful province. By doing so, it will also mitigate against the continuation of non-sustainable and unjust spatial patterns of the past. In addition, these guidelines will contribute to the creation of opportunities for economic and social development and the conservation of aesthetic and sensitive environmental features in a sustainable manner.

May these guidelines assist all role-players in achieving the “triple bottom line” goals of social, economic and ecological integration and sustainability.



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1. INTRODUCTION

1.1 CONTEXT AND PURPOSE

These guidelines serve to provide such for the assessment of applications for the zoning and development of resorts in the Province of the Western Cape.

Municipalities in this Province are increasingly confronted with applications pertaining to resort zoning and development outside of the traditional (old) municipal boundaries¹ in the rural areas. They have expressed the need for a planning framework as well as an appropriate set of criteria against which these applications could be assessed. Evaluating such applications must be considered with great circumspection.

At present, resorts in rural areas require approval from the Provincial Government, both in terms of:

- a) the Land Use Planning Ordinance, No 15 of 1985 (LUPO), if resort zonings are required and land outside the traditional (old) municipal boundaries are involved, and
- b) the EIA Regulations (Regulations for Environmental Impact Assessment promulgated in terms of section 21 of the Environment Conservation Act, 1989 (Act 73 of 1989), when change of an activity on the land, as identified in terms of the Schedule attached to the Regulations, is at stake.

In recognition of the desired autonomy of municipalities, as promoted through the Constitution, it is also the aim of these guidelines to assist municipalities towards autonomous consideration of resort applications and at the same time promoting consistency in the manner in which applications are dealt with in future. In addition, these guidelines may form a basis to assist municipalities in developing and adopting policies for their own particular circumstances in future.

1.2 SCOPE

For the purpose of these guidelines, the term **resort** is understood to refer to holiday and recreational resorts which carry, or require, a **resort zoning** in terms of the relevant zoning scheme. It would be frequented by tourists, holidaymakers

¹ Traditional urban municipalities have delegated decisionmaking authority to deal with resort rezoning applications falling within their areas of jurisdiction, as demarcated before the so-called wall-to-wall local municipal boundaries came into force in the latter half of the nineties. Their spatial ambits of responsibilities have subsequently been enlarged to include major rural areas. Although their above-mentioned delegated powers remained limited to the said traditional boundaries that related to their urban areas, they have nevertheless become primarily responsible for the handling of numerous additional resort applications in rural areas, which had previously been dealt with by district municipalities.

and other members of the general public seeking access to a particular, unique, recreational or other tourism resource, be it a natural, cultural or historic site, seasonal occurrence or man-made attraction or a special quality of place. It includes resorts for day visitors as well as those providing overnight accommodation.

Golf and equestrian (or polo) resorts are partially dealt with by the Provincial Government's Guidelines for Golf Courses, Golf Estates, Polo Fields, Polo Estates and other developments of similar scale or complexity. The latter Guidelines are also, similar to the Guidelines for Resort Developments, supporting guidelines for the Western Cape Provincial Spatial Development Framework (WCPSTDF) and Urban Edge Guidelines. The Guidelines for Resort Developments must also be consulted when golf and polo resorts are applied for, in conjunction with the Guidelines for Golf Courses, Golf Estates, Polo Fields, Polo Estates, especially as far as the resort component of these developments are concerned.

Hotels, guest houses, holiday apartments and bed-and-breakfast establishments in urban areas, such as could ordinarily be permitted under a business, general residential or other non-resort type zoning, are also not seen to be included in these guidelines, although some of the parameters and considerations identified and addressed in this document may be equally relevant in those cases. These guidelines would nevertheless apply in the event of, for instance, a bed and breakfast establishment or guest house, should it form part of a resort development.

1.3 FOCUS

These guidelines focus on the important considerations that should be taken into account in assuring the sustainability, and therefore the continued, positive contribution towards the wellbeing of the relevant area, through the development of viable and appropriate resort facilities. It gives particular attention to the criteria that are relevant to the evaluation of resort applications in terms of location, density and size requirements, environmental protection, sustainable infrastructural and design, construction and maintenance aspects.

2. NATURE AND HISTORY OF THE PROBLEM

2.1 GROWTH IN TOURISM

Increasing affluence, mobility and available leisure time among the middle to high income groups have resulted in a rapid increase in the demand for tourist facilities worldwide. Developing countries, such as South Africa, are often well-endowed with tourist attractions and stand to gain substantially from the growth in the global and local tourism industry. They should however, heed the

importance of exploiting and managing their recreational and tourism resources in a sustainable manner.

“It is clear that one of the greatest attractions of the Western Cape is its natural beauty, its biodiversity. We are privileged to have unique attractions like the Cape Floral Kingdom that is one of the six floristic kingdoms in the world. The largest part of this Kingdom is found within the Western Cape. It is globally unrivalled for its diversity of plant life, with some 8,600 species, half of which are not be found anywhere else on earth.....

Our Biodiversity and Coastal Management programmes(must) ensure that our unique environment is conserved for future generations and that the coast of the Western Cape is developed and utilised in a sustainable manner.”²

It is obvious that the Western Cape could derive considerable benefit from the global and local tourism industry and it is important to note the considerable role that viable and sustainable resorts could play in this regard.

2.2 RESTRICTION ON COASTAL DEVELOPMENT

Up to the late seventies and early eighties, permission for the development of holiday accommodation outside the municipal areas in the old Cape Province could only be obtained by way of an application for **formal township development**. In practice this meant that the applicant needed to prove the need and desirability (N&D) of his proposed development through a provisional, N&D application, followed by the final township application. This procedure in itself increasingly resulted in approvals of applications of new town developments, favourably based on those legislative criteria, occurring outside existing coastal towns and cities, such as the developments of Wavecrest, Danabaai, Pearly Beach and Suiderstrand.

The belief consequently arose in planning circles that, if action was not urgently taken, the Cape coast could soon become as extensively developed as the Natal South Coast. Involved citizens of the province, who were proud of their heritage, were adamant that this should not happen. In response to public pressure, the Administrator then contemplated placing a moratorium on coastal development, where these new towns tended to occur. This moratorium would have meant that no new coastal development would have been permitted, the exception being development within existing developed areas or those that would result in the rounding off of such existing areas. This intended approach also supported the generally accepted spatial planning principle that more compact city building was desirable in the interest of protecting both rural and sensitive natural areas.

² Minister Tasneem Essop, Minister of Environmental Affairs and Development Planning, Province of the Western Cape, during her budget speech delivered to parliament on 21 June, 2004.

2.3 RESORT ZONING

It was soon recognised that the need to develop areas for holiday purposes would nevertheless persist. However, this should not result in formal township establishment. It was therefore ruled that applications for holiday developments outside of existing towns could be considered if they were:

- closely associated with **a resource** which clearly advantaged and distinguished the relevant site, in terms of its amenity value, from surrounding properties, and
- if the resort would only offer **temporary accommodation**.

It was argued that unmanageable and excessive urban development in the rural areas would hereby be prevented. At the time, “*node*” and “*source*” became important terms in this context.

Following legal advice, the idea of the moratorium on coastal development was discarded and the concept of a **resort zone** was introduced to provide a tool by which to manage applications for resorts throughout the province. Soon however, there was pressure from interest groups to create a second resort zone that could provide for the separate alienation of resort units for profit. This however, tended to defeat the object of the envisaged moratorium on development which was aimed at effecting individual ownership of units.

The above-mentioned situation led to the creation of two types of resort zones which were referred to as **Resort Zone I** and **Resort Zone II** that were statutorily accommodated at provincial level in the “Section 8” Zoning Scheme Regulations³ in 1986 and which were generally also incorporated into the existing “Section 7(2)” Zoning Scheme Regulations of towns and cities throughout the province.

Resort Zone I (corresponding closely with the original concept for a resort zoning) where holiday accommodation is a primary use right, implied that the subject resort development had to be located in a unique, natural environment and that the accommodation offered, was for short term rental only.

Resort Zone II, where holiday housing was the primary use right, allowed for separate alienation of units, but did not require that such a development had to

³ Scheme Regulations (PN 1048/1988) promulgated in terms of Section 8 of the Land Use Planning Ordinance, No 15 of 1985, applied to areas not included under Scheme Regulations which applied in terms of Section 7(2). Section 7(2) Regulations referred to town planning schemes established through the old Town Planning Ordinance (No. 33 of 1934), prior to LUPO coming into force, and applied primarily to established cities and larger towns. The more general Section 8 Regulations, applicable to the bulk of land in the Province, was promulgated by the Administrator by Provincial Notice NO. 353 on 20 June 1986 and amended.

be located in a unique natural environment.

It was sometimes erroneously accepted in the past however, that the presence of a resource was the only locational requirement for Resort Zone II, omitting the specific, previously expressed requirement for it to be located within the existing towns and nodes as defined by the recognised urban edges. Consequently, applications for Resort Zone II development have been submitted in rural areas, without appropriate motivation and, because the units could then be alienated separately to individual owners, this has for all practical purposes, resulted in town establishment in areas where it would not otherwise have been allowed. This unfortunate occurrence should be prevented.

2.4 FLOOD OF APPLICATIONS

Since the promulgation of the “Section 8” Scheme Regulations in the eighties, and the accordant adjustment of “Section 7(2)” Zoning Schemes in line therewith, a vast number of resort applications have been submitted to public authorities, and because substantial financial interest was often involved, applicants have at times exerted considerable pressure for development to be permitted outside of urban nodes. As a result, dealing with resort applications has often been complex, even more so as a result of the creation of the Resort Zone II concept. Resort Zone II applications have a tendency to be more attractive to private developers than the development of day resorts or resorts offering accommodation to rent only, as was permitted under Resort Zone I. In the absence of clear guidelines, the danger has since existed that resort zoning (especially Resort Zone II) could be recommended for approval in unsuitable locations and/or without the imposition of appropriate and adequate development conditions such as those pertaining to size, number and placement of resort units.

2.5 GUIDELINES OVERDUE

The above-mentioned situation has created the potential for those developers who may be unscrupulous, to exploit the lack of clearer guidelines than those which have existed up to the present. Consequently, the formulation of suitable provincial guidelines, built upon the considerable experience gained in the interim, are long overdue.

Resort development requires approval in terms of both LUPO (municipal and provincial) and the ECA (provincial) and this guideline document is consequently aimed at facilitating the processing of applications in terms of both pieces of legislation.

The recently drafted, ***Provincial Zoning Scheme Model By-law*** now also **provides for only one resort zone**. Somewhat similar to the previous Resort Zone I, the aim with this zoning is to promote the creation of tourist and holiday

facilities in areas with special environmental or recreational attributes. It is thus intended to encourage public access to these facilities while not destroying, or detracting from the quality of the amenity that attracted the holiday facilities in the first place.

Holiday accommodation is a primary use right in this zone, with separately alienated **holiday housing** being a consent use.

The relevant Development Management Provisions in the By-Laws further stipulate that development parameters, with regard to density, height, coverage, layout, building design, landscaping, parking, access and the use of buildings or land, must be stipulated by the relevant authorities, while a site development plan, landscape master plan and environmental management plans must be prepared to the satisfaction of the relevant authorities.

In the new model by-law only holiday accommodation, conservation usage and private open space use are primary uses within a resort zoning, while all associated uses, namely tourist facilities, conference facilities, holiday housing and hotels, have been listed as consent uses.

2.6 IN SUMMARY, THE CRITICAL ISSUES

The original intention with resort zoning was to increase public access to unique tourism and recreational resources in sought-after natural areas where it would not otherwise have been possible.

This had to happen without notable detraction from the amenity that formed the attraction in the first place. Care had to be exercised to minimise the potential impact of developments on fragile environments and to ensure that no undue public nuisance was caused for other people working or living in the area. The need to be sensitive to the natural, rural, or even unique urban character of the environment, are extremely important considerations.

Resort zones are set apart from other land use zones generally found in urban areas. Scale, density and design parameters are more critical and should be carefully formulated and controlled. Density and scale of development need to be established in relation to the nature and elements of the host landscape and the environmental resources of the area.

While the nature and design of roads and services could be more leniently considered in some instances, others, such as architectural and landscape design, maximum size of erven and buildings, have to be more strictly controlled.

Because resorts could be permitted in areas where normal town development would not be considered, the geographic extent of an approved resort zone has to be clearly defined by the relevant authorities, subject to specific, detailed (or

relatively detailed) parameters.

Accommodation in resorts should be **aimed at temporary occupation**, to give more people access to the natural resources of the Western Cape. Care should therefore be taken that resort zone applications do not become vehicles for covert, permanently inhabited township establishments, which may often be described as “*exclusively elitist*”.

All the above-mentioned issues are dealt with in more detail in the following chapters of the guidelines.

3. RESORT LOCATION

The most important criteria for resort location are:

- planning policies
- availability of a resource
- environmental opportunities and constraints

These will be addressed in the following chapters of this document.

Other locational factors such as topography, soils, flood plains, vegetation and infrastructure also apply, of course, but are equally applicable to many other types of development which are commonly dealt with by most local authorities. The outcome of an EIA process⁴ is obviously also a major consideration in the establishment of any resort, especially in a rural or natural setting.

3.1 PLANNING POLICIES

Provincial and local planning policies which are relevant to resort development, mainly include:

- a) non-spatial planning policies, such as Integrated Development Plans (IDP's) and sectoral plans compiled as part thereof, and
- b) spatial planning policies such as those pertaining to coastal development, the Western Cape Provincial Spatial Development Framework (WCPsDF - previously known as the Provincial Spatial Development Framework/PSDF), Urban Edge Guidelines, municipal Spatial Development Frameworks (SDF's) and the various policy documents, guidelines and manuals for the application of bioregional planning in the Western Cape.

⁴ Environmental Impact Assessment process as required in terms of the Environment Conservation Act No 73 of 1989 and the National Environmental Management Act No 107 of 1998.

It is most important that relevant planning policies, especially those policies that have been officially approved, be consulted and heeded when resort applications are considered.

3.1.1 Spatial planning documents

Spatial planning documents which have a bearing on applications include:

- a) macro Spatial Development Frameworks (SDF's), such as the Western Cape Provincial Spatial Development Framework (WCPSDF);
- b) SDF's for respective municipal areas;
- c) more detailed Spatial Development Plans (SDP's) for portions of areas covered by SDF's, and
- d) more generically speaking, spatial plans in general.

Also relevant are the current Structure Plans (at various scales) and previous Guide Plans, the latter which have all been converted to Regional and Urban Structure Plans.

The proactive approach being followed by municipalities in spatial planning⁵, by means of SDF's, is an ideal way to ensure that sensitive areas are identified beforehand, preventing a situation where resorts could be located in areas where the environment, including the cultural landscape, would be harmed.

Examples of how spatial planning policy may inform resort development applications are:

- a) The draft Western Cape Coastal Zone Policy (CZP), prepared by the provincial government, states that individual properties with a sea or river frontage of less than one kilometre should not be considered for further development. (See also Chapter 4 on densities).
- b) The Southern Cape Subregional Structure Plan proposes *rural nodes* as part of a proposed settlement pattern framework for the entire Southern Cape.

3.1.2 Spatial planning categories

Many of the existing and potential future resorts are, or could be, situated near the coast. For this purpose, as well as other non-resort planning considerations,

⁵ In terms of the Local Government Municipal Systems Act, No 32 of 2000, and the Western Cape Planning and Development Act, No 7 of 1999.

the draft Western Cape Coastal Zone Policy (CZP) provides a framework that includes spatial planning maps to be followed, and refined where necessary, by the Category A, B and C municipalities in their respective spatial planning programmes. Further away from the sea, spatial planning maps have also been prepared for such draft documents as the Outeniqua, Mossel Bay, Langeberg and West Coast Spatial Development Plans. These plans should be referred to, where non-coastal resorts fall within their study boundaries.

The above-mentioned spatial planning maps indicate spatial planning categories (SPCs) based on bioregional planning principles.

3.1.3 Urban nodes

Within urban areas/urban nodes, as indicated in the various planning policy documents, the existence of a unique resource becomes less important as motivation for permitting the development of a resort. In fact, the urban area itself, its urban-cultural heritage, its theatres, museums and all the like, may well be the attraction for tourists and holidaymakers.

This brings to mind the concept of an urban resort, well within the urban edge, which may include both holiday accommodation, for example, hotels, guest houses, bed and breakfast establishments, as well as holiday housing, such as holiday flats and cottages. In this instance the locational factors would in fact be no different to that which would normally be considered for the establishment of group housing or general residential development of a comparative nature.

It is suggested that this urban type resort be treated as normal urban development. This type development should therefore be given a normal urban development zoning (such as group housing, general residential zonings, including, as deemed appropriate, associated open space and recreation zonings), instead of a resort zoning which is more readily associated with resorts in rural areas. The guidelines reflected in this document therefore do not apply to this type of development.

Where a recreational or tourism resource is located abutting an existing urban area, it may also be advantageous for the associated overnight accommodation to be located within the urban node rather than at the resource itself. This would assist in controlling the leapfrogging effect of urban development as it tends to result from a close distribution of resorts just outside the urban edges.

3.1.4 Urban edges

Some policies, such as the WCPSDF and related provincial Urban Edge Study, have particular guidelines with regard to development in relation to urban edges, which can be even further refined in terms of local municipal SDF's. In terms of resort development, it is important that these requirements be adhered to.

Where resorts (especially in the case of freehold units) are proposed abutting urban fringes, particular note should be taken of the possibilities of potential leapfrogging of new urban development relative to existing urban development within the edge. This must then be accompanied by more stringent resource validity evaluation and, if still accepted, approving smaller units only in such instances, to further discourage evolution of these developments to ultimately permanent accommodation.

Understandably, within a metropolitan urban edge itself, larger units can be considered, even though the immediate area may be natural or relatively sensitive.

3.1.5 Rural settlements

Rural settlements, as proposed in the Manual for Bioregional Planning Policy, usually relate to existing areas of greater rural intensity (not urban) than their surroundings. In addition to possible resort development, smallholdings⁶, bed and breakfast establishments, farm shops and limited-size tourist related businesses could be allowed *in* such settlements. It is important to note though, that *rural settlements* referred to here, are not to be confused with the concept of *rural occupation* as it appears in Guide Plan documents (subsequently now Structure Plans).

The Southern Cape Subregional Structure Plan indicates that resorts may be considered ***within*** rural nodes. This does not imply that resorts are necessarily desirable within such nodes. Should resort development be permitted here, it may sometimes spoil the historical or otherwise unique rural character that exists at a rural node or hamlet such as Harkerville near Knysna. Furthermore, the criteria for consideration of resort applications should be considered more stringently in the case of rural nodes than in urban areas located within the urban edges. At the same time, though, it could possibly be considered less stringently than applications outside rural nodes or settlements.

⁶ In terms of the Knysna-Wilderness-Plettenberg Bay Regional Structure plan, (previous Guide Plan), smallholdings refer to properties between 3 to 5ha. Larger portions are regarded as farms and smaller properties as urban plots. The latter are not considered desirable in rural settlements.

3.1.6 Core Areas and Ecological Corridors

In core areas (e.g. existing nature reserves or critically endangered ecosystems) and ecological corridors (coastal-interior gradients or river corridors) are considered to be priority areas for biodiversity conservation. This is also referred to in spatial planning policy documents (based on bioregional planning principles such as the WCPSDF, draft Coastal Zone Policy or any other SDF). Resort applications should be considered very carefully here, if permitted at all. Should such development be permitted, it must:

- a) be of limited scale only, almost certainly less than what is considered to be a small resort according to these guidelines, in terms of both unit number as well as individual size thereof;
- b) be subject to control measures that have been extremely carefully considered, also in terms of the required Environmental Impact Assessment (EIA), and
- c) not consist of any freehold units (that is, no holiday (or any other permanent) housing, such consent use in a Resort Zone (in terms of the Provincial Zoning Scheme Model By-Law), or Resort Zone II (in terms of the “Section 8” Scheme Regulations), whether individual erf, sectional title, block sharing or other).

3.1.7 Intensive Agricultural Areas

No resorts should be permitted on land used for Intensive Agriculture, or within a category of potential valuable soils as determined by the officially accepted relevant authority.

3.1.8 Areas outside Urban Edges in general, Buffer and Transition Areas

As a general rule, *freehold ownership associated with resort zoning* (that is, holiday housing, such consent use in a Resort Zone, or Resort Zone II, whether individual erf, sectional title, block sharing or other) *is not desirable in any area outside the urban edge.*

Over and above Resort Zone I (non-freehold, leasehold, temporary holiday accommodation, short term rental) *being more appropriate* (in comparison to Resort Zone II (in terms of the “Section 8” Scheme Regulations) or Resort Zone (in terms of the Provincial Zoning Scheme Model By-law) with consent for holiday housing, i.e. freehold, with its greater tendency to exclusivity) *to ensure access to a resource for the general public* – one of the main reasons for justifying the concept or resort outside urban areas in the first place – *it is also far less likely to eventually result in permanent accommodation outside the urban edge*, and therefore just another form of township development under the guise of being a

resort.

Only under exceptional circumstances may such freehold ownership possibly be considered. Under such circumstances, it will nevertheless be critically important that a very strong/distinct associated resource (refer to Section 3.2 on Resource below) of regional and/or provincial significance, be available (except in a planned demarcated area in terms of a SDF approved prior to the resort application, such as a rural node in terms thereof that promotes tourism, which is based on a generally accepted resource), in addition to other requirements reflected in these guidelines.

Furthermore, these freehold units must then be:

- a) of a size of no more than 120m² total floor space each;
- b) mixed with holiday accommodation (Resort Zone I units, non-freehold, short term rental) within the resort complex, and
- c) not more than 50% of the total number of units in the resort complex.

Furthermore, every possible conceivable effort should be taken to ensure that these freehold resort units do not result in the undesirable scenario of permanent occupation outside the urban edge. It is also important to note that the Department of Agriculture is only willing to accept any Resort Zone II (freehold units) as long as the entire farm, linked to the said resort, is being rezoned out of Agriculture I to Open Space III, in addition to the smaller area subject to the development itself being rezoned for resort purposes (in terms of the “Section 8” Scheme Regulations, the primary use right within Open Space III is nature reserve).

Understandably, given the historical background of Resort Zone II, there are municipalities in the Western Cape who believe that no freehold resort units should be permitted outside the urban edge at all. In view of these guidelines providing an overall guideline framework only, for possible further refinement within, it is important that Municipalities of the above-mentioned persuasion adopt the approach of “no freehold ownership of resort units (whether individual erf, sectional title, block sharing or other) outside the urban edge” in their respective municipal SDF’s as a matter of course.

Various spatial planning policies have transition zones and buffer areas, based on bioregional planning principles. Permission of resort development in these areas will also, amongst others, depend on the guidelines proposed with regard to the respective spatial planning categories.

3.2 RESOURCE

As mentioned before, resort applications outside urban areas can only, in terms of provincial approach, be considered for approval if linked to a distinct resource (unless the area in question has already been demarcated for, amongst others,

resort development in terms of an officially approved SDF or SDP, bearing in mind that, should it be done, these areas be demarcated with circumspection). This mentioned resource relates to any amenity that results in recreation, that is, an area with special recreational attributes. Such a resource is:

- a) usually a natural feature that includes physical amenities such as a hot water spring, sandy beach, lake, lagoon or river. The latter may nevertheless, for example, only become relevant as a resource for a resort should the proposed development occur at a distinctly favourable point where the river itself widens considerably and displays both scenic as well as water recreation potential, clearly unmatched by any other local properties;
- b) occasionally, an already existing, established, man-made (which can also be a feature of particular cultural-historic value such as a historic battle field or a particularly unique gallery of rock paintings) feature, but then it is either (i) well within urban edges, or, (ii) should it be in rural areas, then it must be:
 - complementary to a primary unique natural resource as described in a) above, or
 - being of such major regional or even provincial significance, having been there for a long time and possibly being well-known, such as a huge dam, that it cannot be replicated in other parts of the rural area. Therefore a man-made feature such as a golf course or polo field in itself, for example, cannot be used as main motivation to establish a resort in a particular locality. In addition, it is not accepted that a man-made feature be created as a resource for the purpose of rationalising a resort application;
- c) of such nature that it makes the subject property particularly favourable overall above any other in the area. This means that it must be advantageously comparably distinguishable from surrounding properties, making similar motivation for other resort applications in the local and wider region not possible, in order that the rural character will not be altered or be subjected to development densification by the cumulative effect of further successful resort applications (or undesirable ribbon development, as may happen in the case of coastal areas);
- d) of high enough value for many holidaymakers to want to travel thereto from afar and spending more than one day there. A distinction must therefore be made between a resource with no more than stop over value to a stronger one that can justify overnight accommodation. This implies that, for example, although adding value, a site with unique splendid views does not, as such, qualify as a resource to justify resort development;
- e) accessible for the benefit of the general public, and

- f) inseparable from the proposed resort to the extent that the permanence of access from the resort to the resource can be guaranteed. In this regard, public access to the resource also remains a consideration, as mentioned in the previous point (e).

Negative impact on resource: It stands to reason that any negative impact which the development of a resort may have on a unique resource or surrounding sensitive area, should be prevented, mitigated and managed with care. If not (meaning, should the proposed resort either harm or even possibly destroy the resource), a resort must not be allowed at all. For example, a resort on top of Table Mountain, overlooking Cape Town, would be so harmful to the resource itself that it could not be allowed.

Need for overnight accommodation: Resorts providing overnight accommodation in rural areas should only be permitted if the resource could be truly enjoyed by holidaymakers only if they are allowed to reside there.

Where practical in terms of distance, the overnight accommodation should rather be located in a nearby urban area, especially with regard to resources that do not have such strength of attraction to justify more than a few hours stop-over for most visitors. For example, bushman rock drawings or unique veld flowers, as singular attractions, have, at most, the strength to justify brief stop-over facilities for most holiday travellers, not overnight accommodation facilities.

However, even where the resource is comparably somewhat stronger, but where for instance urban development leapfrogging becomes an issue, it may make more sense to argue that overnight accommodation should rather be provided within the urban edge than at the location of the resource, and that resort units should not be permitted there.

Inseparability of link between resource and resort: When a resort is allowed on the strength of a specific resource being present on the property itself, then the property and the resource should be inseparable.

The resource must therefore not occur on another property, whether with or without the expressed consent for access thereto from the owner of the resource. Any promises of future consolidation of such separate land portions are also unacceptable. A notable exception might be a permanently binding legal contract with a government agency e.g. CapeNature's Conservation Stewardship Programme (see Annexure A) or registration of a wetland with the internationally recognised RAMSAR Convention.

This also implies that no subdivision causing such separation can ever be considered in future. (It can then even happen that a new resort development application is submitted for the subdivided portion which still has the resource on

it, with the already built resort, now without resource linkage, being on an adjacent property, ultimately leading to further rural development densification.) To ensure that no subdivision will ever occur, it may even be necessary to consider an additional restrictive condition to this effect, to be included in the title deed of the property.

Alternatively, if the resource is located on a different, separate piece of land, there should at least be acceptable, permanently binding, legal, contractual tie-ups that also include public authorities. The contract may need to be exclusively in favour of the specific land parcel if further resort developments on other properties are to be avoided.

Resource stability: Where a resource is not of a naturally permanent nature, it has to be stable (not having the potential to be destroyed) and well established by the time of the application for resort development.

Dubious motivations: The establishment of resorts under false pretences (for example, to apply for a resort that will ultimately result in permanent accommodation, in whatever form), or contrary to acceptable carrying capacity, must be avoided and subject to immediate and severe intervention, which might include the pursuance of the invalidation of the original approval.

Validity of resource is also of crucial importance to enable a manageable and orderly land use development pattern in rural areas.

For example, reference to a local farm dam as resource justification for resort development purposes, or even worse, a promise, at the time of resort application submission, to build such a dam in future, is unacceptable. In a similar vein, is rationalising a resort resource on the basis of the establishment of a game reserve on a farm, where so-called “indigenous” fauna and flora, generally found within South Africa’s borders, have been imported over time from elsewhere, but which had not originally been specific to that particular land portion before the arrival of man. This can arguably be repeated elsewhere (as a golf course/polo field could, should these be argued to be a resource per se, to justify the establishment of a resort on that basis), whether on surrounding properties or further a field. A reserve for the purposes of serving as a resource for a rural resort must be officially recognised and approved in terms of legislation. It must be truly unique and conservation worthy for resort development (the latter then being of limited scale only) to be considered.

Vacated farm labourers’ houses issues: Due to the current changes that are taking place in farming communities across the country, decisionmaking authorities are under increasing pressure to allow vacated farm labourers’ houses to be converted for the purposes of resort accommodation.

It is important to note that, in addition to it having to be acceptable for the Department of Land Affairs, from, amongst others, a land reform point of view, these cottages **can only be considered** for such purposes, should the last legal occupants consent thereto and if these cottages are **linked to a valid resource**, as would be required of any other resort application.

Under circumstances where farm labourers' houses have been vacated and this being acceptable to the Department of Land Affairs, an owner should, as a first option, for the purposes of a resort or a bed and breakfast establishment/guest house, rather apply for Council's consent for additional units on agricultural land, in terms of the "Section 8" Scheme Regulations. See definition for additional dwelling units in Chapter 8, which is based on the "Section 8" Scheme Regulations. This would be better than the undesirable scenario of introducing a resort zone in a rural area where there is no convincingly justifiable distinctly unique resource present, as compared to other local properties.

Clarity of resource linkage: It is of utmost importance that it be required of applicants to effectively demonstrate the resource linkage of any proposed resort development at both the local and regional level.

3.2.1 Uniqueness of resource

The resource for the purposes of resort establishment have to be unique, giving the property that it is attached to, a comparably distinct advantage, without reasonable doubt, over other properties in the area (adding up/taking into consideration, all other similar and/or possibly different amenity qualities on nearby and further away properties). This should make similar motivation for other resort applications in the local and wider region either notably difficult or not possible at all, with the result that the rural character will not be altered or be subjected to development densification by the cumulative effect of further successful resort applications, which can be the case when resource accepted for a resort is not sufficiently distinctly, comparatively advantageous.

This criterion is easily applied in the case of a unique resource occurring on a specific property, for instance in the case of a hot water spring. It becomes more problematic when the resource is large and spread over several properties, for example, should the resource be a mountain, lake, river or beach. In such an event, it would be necessary to seek for locational advantage(s) which one property may have over the others, for instance:

- a widening in the river, favouring water sport;
- a site giving direct access to particularly good, well established, hiking trails in a mountain, or to an area most suitable for rock climbing (in such cases only a small, unobtrusive resort will be considered, if favourably considered at all; otherwise, if the property is zoned agriculture, consideration may rather be given for consent for additional units, up to a maximum of 5 units, size of farm

and natural sensitivity depending, rather than introducing rezoning to resort here);

- a combination of physical factors making one site distinctly advantageous over others;
- one site offering a much lesser impact on the environment (including visual impact) than any other, and
- one site being more easily accessible or capable of being serviced more economically.

Ideally, a strategic study could be undertaken as part of the Municipal Spatial Development Framework (SDF) process in order to identify the most desirable location(s) for resort establishment with access to relevant resources.

Were the uniqueness norm not applied with care, or overnight accommodation allowed indiscriminately, the cumulative effect of ill considered resort applications could result in a countryside (especially where scenic areas, subject to considerable market pressure, are concerned, such as the Garden Route or Boland) covered with numerous housing developments with urban development leapfrogging across the region.

This could ultimately also lead to rural-area mushrooming of so-called “Yuppy Towns”, where wealthy or moderately wealthy urbanites start living permanently in (what was initially intended to be) “temporary holiday accommodation” developments in increasing numbers, outside of the cities where they work, thus commuting daily over longer distances, with resultant far more additional overall regional waste, negatively altering the rural character forever.

This would, understandably, not be in line with the established town and regional planning principle of concentrating urban populations in the region, at preferably higher densities, in a limited number of urban nodes. This principle is all the more crucial in this province where the very character of the rural areas is a macro source for tourism and therefore part of the socio-economic base, in many ways part of the primary main roots of the local economy that should not be damaged for it to remain sustainable.

Resort applications should never be approved in an ad hoc manner. This may lead to an over-supply of facilities in certain areas, as mentioned above, simply based on the presence, and nothing more, of a desirable natural feature. Instead, municipalities should ensure, as far as possible, that all potentially suitable resort areas are identified timeously and included in their Spatial Development Frameworks/Plans. This will also afford the community the opportunity to become involved at the early planning stages.

Where sites for resort applications are located *outside* either a) urban edges, or b) rural nodes, the latter two instances which are usually regarded more suitable in terms of planning policy for resort applications, the *criteria* of linkage to, and

uniqueness of, an appropriate *resource should be applied more stringently* than had these applications been located inside urban edges or rural nodes.

3.2.2 Provincial Zoning Scheme Model By-law

In the Provincial Zoning Scheme Model By-law, it is implied that the availability of a resource remains the most important locational factor during the consideration of resort developments (with holiday accommodation being the primary use). It is acknowledged that the resource can include natural, cultural or historic sites, seasonal occurrences or man-made attractions. It is interesting to note that the Model By-law also list 4x4 routes, hiking trails and comprehensive, viable and sustainable stewardship areas. Emphasis should nevertheless be placed on the natural environment and recreational elements.

It should be noted that, even prior to the Model By-law, man-made features such as large dams and hiking trails were accepted (under certain circumstances) as resort-linked resources and that this is now more clearly demonstrated. It nevertheless remains important that unscrupulous resort development does not occur. The locational factors required with regard to the primary use in the resort zone (holiday accommodation, conservation usage and private open space), differ substantially from those applicable to the associated consent uses (i.e. holiday housing, hotels, conference and tourist facilities). The consent uses will have a greater impact on the environment and should, where possible, be located within urban areas or urban edges, as suggested earlier, where higher intensity of activity is normally more acceptable.

3.2.3 Carrying capacity

The intensity and distinctness of a resource is, in addition to being a locational factor, also an important measure of carrying capacity.

This must be considered together with the carrying capacity and environmental sensitivity of the area in which it is located, before a sensible conclusion on the size of the resort (such as density, floor space and number of buildings) and preferred locality can be drawn. This also means that, other factors being equal and not restrictive (such as environmental sensitivity, availability of water and other services), a bigger resort can be considered, should a) the resource be exceptionally distinct, such as a large hot spring, and b) the property itself, on which the resort is to be established, be large. (For example, a resort consisting of 20 units will not be desirable on a farm measuring 5 hectares in total size, especially if the associated resource is, although unique, not particularly so in the local area. Such an approval could then, considering the cumulative effect of similar resort development application approvals, have major long term rural development densification repercussions.) *Maximum size is ultimately determined by the most restrictive of these factors*, whether resource, overall size of property, environmental sensitivity (including factors such as visual impact and

pollution), availability of water, sewerage, other services and so on.

Where a resource is less intense but still distinctly notable, it may make more sense not to apply for a resort rezoning, but to rather follow a non-rezoning route. A favourable point along a river (from a resort establishment perspective, but in terms of which there may be more than one such point along the river) may be such an example. In such instance council's consent can be sought for additional units on farm land (Agriculture Zone I) in terms of the "Section 8" Scheme Regulations. Zoning then remains Agriculture Zone I and no new zoning, such as a resort zoning, is introduced at all. (See definition for additional dwelling units in Chapter 8, which is based on the "Section 8" Scheme Regulations.)

It is suggested that in such cases, a maximum permissible floor size of 120m² per unit be followed (bearing in mind that it may well be considered that these units should be smaller and/or less than the maximum number of 5 as may be permitted in terms of the "Section 8" Scheme Regulations on Agriculture Zone I as a secondary use, should the size of the farm be large enough to permit this maximum number, other factors being favourable), as would be the case for any other resort unit outside the urban edge, as referred to in terms of these guidelines.

3.2.4 Concluding remarks on resource

To summarize, it can be said that resort-associated resources can perceptibly be of a natural or man-made origin (the latter with qualification, as indicated above). Resources can also include areas protected by a permanently binding legal contract.

The more distinctly unique the resource (and not being repeatable in the wider region), the stronger the case will be for accepting a resort rezoning application, other factors being favourable. The argument for a bigger resort is similarly strengthened by the uniqueness of the resource, but also provided that the property (or properties), to which the resort will be linked, is of sufficient size (see next chapter), factors such as environmental sensitivity and services aspects permitting. See also chapter on density, below. The carrying capacity and vulnerability of the resource and the environment should nevertheless remain the primary concern.

It is important that a specific resource should advantageously distinguish the subject property from other properties in the immediate and larger area within which no other remarkable resource of comparable value should exist. Furthermore, the resource must be of significant value for visitors to travel long distances to come and enjoy it for more than one day. If the resource norm is not applied with care, it will not be geographically sustainable to develop resorts, especially in rural areas.

3.3 ENVIRONMENTAL OPPORTUNITIES AND CONSTRAINTS

The foregoing suggests that, even if other factors are favourable, ***a resort cannot be permitted in a particular location, should its establishment lead to damage or destruction of the environment. The concept of resort zone was, from the outset, based on the premise to give access to a greater number of people to areas of natural or cultural amenity value not otherwise available to them, without the potential destruction that may be associated with more formal development.***

The concept of resort zoning is also considered to have to represent a positive contribution to environment. In addition, where relevant, it will be expected of a proposed resort development to provide satisfactory Biodiversity Offsets. Mechanisms to implement this off-sets strategy are being prepared at present.

4. RESORT DENSITY

4.1 GENERAL

In this section **resort density** refers to both the number of buildings per hectare as well as the average size of individual buildings.

Acceptable resort density primarily requires that the correct balance be found between development and ecological sensitivity. This should be determined in consultation with the responsible public officials (amongst others).

It stands to reason that small nodes (of only a few units each) will normally have a lesser impact than larger developments. For the sake of general reference, the following **resort size categories** can be suggested (unit for this purpose referring to a building in which holidaymakers reside):

small	1-10 units <u>and</u> floor area not being more than 120m ² per unit
medium	11-30 units <u>and</u> floor area not being more than 120m ² (or up to 175m ² in sensitive natural/cultural heritage areas within the urban edge) per unit <u>and</u> total floor area of all buildings not being more than 3 600m ²
large	30-50 units, <u>or</u> , should there be less than 30 units, but the total floor area of all buildings still exceeding 3 600m ² (approval a resort of more than 50 units, though not impossible, is not considered to be the norm)

A resort is not a conventional township and the number and size of units should be controlled from this perspective. Each application has its own set of

circumstances. Should circumstances permit, any leeway in terms of density and size must depend on factors such as greater intensity and distinctness of resource on the one hand (see previous chapter), and lower environmental sensitivity on the other hand, as would be found in urban areas.

Fundamentally, any place has a distinct character or “sense of place”. The ability of people to relate to, and care for such places, has a direct impact on their responsibility towards the development thereof in a sustainable manner. From a bioregional perspective, there is a challenge to create places where people can live with dignity and to manage them in such a manner that long-term, environmental sustainability is ensured. This also includes appropriate respect for the history of an area as it contributes towards its unique spirit and feel. Environment affects people and the quality and nature of the environment have psychological implications for them.

It is thus pointed out in the Draft Coastal Zone Policy for the Western Cape that the Western Bioregion differs completely from the Outeniqua Bioregion and that, at the local level, the mountain ranges of the Cape Peninsula differ from the sandy beaches of False Bay. The elements that contribute to the uniqueness of the different environments must be understood and appreciated if sustainable development and meaningful place making is to be achieved. Another illustration in point is the difference in sense of place between Puntjie, at the mouth of the Duivenhoks River, and Stilbaai, at the mouth of the Goukou River, both falling within the same region.

In addition to the locational considerations for the establishment of resorts and their appurtenant buildings, density and size of development are crucial elements in the quest to preserve and enhance the sense of place as referred to above.

4.2 DENSITY PER HECTARE

4.2.1 Historically

Up until now, no official policy existed with regard to the permissible density of resort developments (in units per hectare). It was understood that each proposal should be considered on its own merit, considering the context of the area in which it was situated. The principle was usually that a density had to be achieved that was low. Extensive open space, in landscaped or natural form, had to be provided, with the buildings sensitively placed within these spaces.

Given that consent for at least one additional dwelling unit could be given on any residential or agricultural property, a density of 2 dwelling units per 3 hectares or 0,67 unit per hectare could be deduced for that area/portion, of the larger original farm (or other land unit), primarily dedicated for the resort.⁷ As a result of local

⁷ A property of less than 3ha is regarded as being an urban property in terms of the approved George and Environs Urban Structure Plan.

conditions being taken into account, densities for many resorts have often been restricted to 1 unit per hectare or even less (sometimes even approaching the densities of rural occupation, that is, 1 unit per 3 to 5 hectares). It should nevertheless be noted that these figures refer to gross density, i.e. number of units relative to the total area/portion, of the larger original farm (or other land unit), primarily dedicated for the resort. On the other hand, nett density could be higher if it relates to number of units with regard to the immediate area of the resort development site itself, should the resort units be clustered in a node or nodes.

The above calculations refer to single (for example, family) resort units only and do not include other associated, but distinguishable uses such as tourist facilities, and bed and breakfast establishments/guest houses. These would have area restrictions imposed through coverage or bulk limitations rather than number of units per site area. In addition, number of bedrooms in these latter facilities can be deemed to be equal to resort units for the purposes of density calculations as reflected in Table 1.

In the past, common open space between the units has usually been at least 250m² per unit or more.

4.2.2 Scheme Regulations in terms of Section 8 of LUPO

Provincial policy on the number of additional dwelling units that may be permitted on a specific property in general, can be found in the “Section 8” Scheme Regulations. In the **Agricultural Zone I**, one additional unit may be allowed, and further additional dwellings are permitted with the consent of the municipality for every 10ha of farm area (up to a maximum of 50ha after which no further units are permissible). Should application therefore be made for a small number of holiday units on a farm, it may thus be dealt with as a consent use application, remembering that the additional units could never be alienated separately from the farm. Of course, scale, density and type should always be determined with due recognition of the impact on the rural/agricultural landscape. Where circumstances allowed, higher resort densities have understandably been permitted by the Provincial Government in the past.

4.2.3 Area densities

Carrying capacity is a critical consideration when resort densities are determined. Due to the complexity of societal and ecological carrying capacity, the process through which development densities are determined is in itself fairly complex and often normative.

Previous policies have, amongst others, determined that land units within 1 kilometre of the high water mark should not be allowed to contain more than 2 to 5 units per kilometre of the coastline itself. However, this guideline only takes the

length of a farm's coastal frontage into consideration and not its total area measurement. The latter is also important as a measurement for any potential contribution to conservation, and possible quantifiable gauge relating to biophysical aspects.

To address this shortcoming, as well as with regard to *all other inland areas*, a table is proposed that provides a guideline for determining the maximum number of units permissible on a land unit. See Table 1 below for units relating to resort zones (bearing in mind Subsection 4.2.2 of these guidelines for units as a secondary use on land that falls within Agriculture Zone I in terms of the "Section 8" Scheme Regulations). This table is based on the premise that the impact of any development is usually larger on smaller properties and smaller on large properties. It assumes that the loss of a small part of a property will not have such a significant impact on the biodiversity and sustainable functioning of the whole. In other words, larger properties can absorb the impact easier. This premise has obvious weaknesses. Environmental impact and desirability is more a factor of environmental sensitivity rather than geographic size. All things being equal, the table could at best serve as a point of departure to determine desirable density.

The following broad principles should be followed:

- a) Should there be an application for resort development in an area where farms compliment each other from the point of view of a resort linked resource, whether in terms of natural biodiversity, heritage, other well-established man-made amenities or any combination of these, owners of such properties may consider entering into a legally binding agreement, which can then include commitments among the owners with respect to the envisaged resort. The development density then considered desirable in such a particular area will also depend on biophysical characteristics, historical impacts of development, and so on. Often, where high conservation value areas are considered such as those to which CapeNature agrees to the establishment of a Conservation Stewardship, only low to very low densities, as compared to those reflected in Table 1, will be acceptable. These may, for example, then range between 1 dwelling unit (or bedroom) per 1 000 hectares to 1 dwelling unit (or bedroom) to 1 500 hectares, on a decreasing sliding scale as number of units increase beyond a certain point.

Where properties complement each other with, for example, a strong heritage component (or a biodiversity component that is a priority, but does not qualify for the Stewardship Programme because of capacity constraints) being included in the equation for a valid benefit for resort purposes, other mutual agreements can also be reached between owners. Such measures may include restrictive conditions in the title deeds of the respective properties. The latter can focus on, for example, resort arrangement, such

as that no further units will be developed on any of the properties involved, that no further subdivision of these properties will take place and that mutual resort-resources access be unhindered. In addition to this, there will also have to be other commitments which are not included in conditions of property title deed, such as those relating to cultural restoration and maintenance.

- b) The scale of development to be allowed must also be within the carrying capacity of local, man-made resources such as infrastructure and other services.
- c) The resource that is referred to, in order to motivate the establishment of the resort, must be strong enough to justify the scale of development.

Tabel 1 - Area densities

Generalized visual carrying capacity	Landscape type	Maximum permitted number of units	
		Short term rental accommodation units	Units that can be individually alienated/ seperately allotted to individuals
High and medium	Mountains and hills	1 unit per 10ha	1 unit per 20ha
Low	Plains	1 unit per 50ha	1 unit per 100ha

Note: Local Municipalities, as part of their SDFs, or on a project basis funded by applicants, should determine landscape types.

4.3 BUILDING SIZE

Individually alienated units within resort zones should remain for **temporary accommodation** only. Resort zones are not an opportunity to establish permanent housing within a special environment. Permanent housing developments intended within a pleasant, special environment (such as retirement housing, eco-estate development or alternative life-style housing in scenic surroundings) are more desirable within existing urban areas such as coastal towns or along urban fringes (but still within the urban edge).

No mix, integrating permanent housing (for example Residential Zone I/Single Residential Zone), no matter how small/discreet the portion of the permanent housing in the resort may be, should be permitted within a resort zone either.

The only possible exception to this is accommodation for staff employed for the operation of the resort itself. The only other type of residential use that may be considered here, is bed-and-breakfast establishments/guest houses. Well within urban areas residential zonings such as those for Group Housing purposes can be used, but then resort zoning should not be considered at all. Associated recreation or open space zonings may then be more appropriate.

Concern for permanent housing in resort developments is threefold:

- a) Permanent accommodation tends to acquire an own residential character over time that is not in keeping with the desired resort character. While the intention of resort visitation is normally to “get away from it all” and to escape the urban lifestyle, the “urbanisation” of resorts is counter productive.
- b) Resorts are generally located in areas with an attraction that is naturally sensitive. Permanent residential intrusion within such an area may cause environmental disturbance or destruction.
- c) Permanent accommodation within a rural area is the first step towards township establishment. This can i) destroy rural character, ii) increase pressure on roads, such as those caused by longer home to work trips, and other regional elements of infrastructure, iii) cause loss of valuable agricultural land and iv) even lead to the demise of existing towns.

It is important to note that the most effective way to prevent permanent occupation of units within a resort is to **prohibit the fragmentation of ownership**. This obviously refers to the prohibition of the sale of individual units as may be achieved through the appropriate zoning of the land. A second, additional control, can be instituted through the **limitation of unit size** (floor area), as well as the size of the exclusive land parcels permitted around the units.

The latter measure, namely to limit unit an associated exclusive land parcel size, could have the additional benefit of:

- i) reducing impact on the natural environment (limiting the extent of land area to be disturbed), and
- ii) ensuring that the character of the development befits the character of the area, for example, character created by small fishermen’s cottages along the coast, and enhancing the resort character of the development. No need exists for large houses or erven in this context.

4.3.1 Outside the Urban Edge

The objective of holiday accommodation is to provide for those needs that relate to basically no more than absolute necessity. Dwelling units within a resort should generally be limited to a single storey and a maximum floor area of 120m². In sensitive natural areas, the units should be smaller and not exceed, for example, 60m² floor area. (The square meterage refers to maximum size, not

average unit size, as has been sometimes contended in the past. It refers to the total, cumulative floor area on all floors including habitable loft areas).

4.3.2 Inside the Urban Edge

Should a resort be developed within the urban edges of a town or city, and consent be granted to permit holiday housing (that is, freehold ownership) within the resort, bigger units may be permitted, even though the immediate area may be natural or relatively sensitive. The impact of the units normally decreases further within the more built-up areas. Within the urban edge a comfortable three-bedroom dwelling can possibly be constructed with a total floor space not exceeding a maximum of 175m² (should the immediate area still be natural or relatively sensitive), which is the limitation that would normally be imposed. Since the impact of larger units could be so much less, further within the urban edge or built-up urban environment, even bigger units may, however, be considered, in such instance, as and when demand arises. Understandably, there could be other reasons for considering size limitation.

4.3.3 Height of resort units

To minimise visual impact, the height of resort units should be limited to 6,5m, measured from the natural ground level to the apex of the roof. It is thereby acknowledged that there are instances where it may be preferable to allow double storey buildings, or buildings including loft rooms, if this would result in a reduced footprint, rather than the generally preferred single storey units where a larger footprint is implied. An individual site halfway down a slope “buried” among high trees may represent such an instance. During the planning stage, the impact of the height of the proposed units can be determined by using flag poles of similar height as the proposed roofs, placed in the required positions and viewed from various vantage points. To ensure that the roofs blend in with the natural environment, colours should be chosen accordingly (i.e.natural colours such as dark green, charcoal, thatch).

4.3.4 Other general comment on building sizes

The maximum floor areas stated above are recommended regardless of whether the development is marketed under individual or sectional title. These recommended resort unit sizes are summarized in Table 2.

Table 2 - UNIT SIZES.

	Resort Zone without holiday housing consent ⁸	Resort Zone outside urban edges	Resort Zone with holiday housing consent ⁹ within urban edges (but still within natural, relatively sensitive areas)
Maximum unit size floor space (m ²) ¹⁰	120m ²	120m ²	175m ²
Maximum number of storeys	single storey only	single storey only	single storey, and possible expansion of habitable space into loft
Building height	6,5 m	6,5 m	6,5 m
Individual exclusive use area	N/a	250m ²	300m ²

The maximum floor areas recommended for other buildings that may be found in resorts are as follows:

Bed and breakfast establishments (/guest houses) 350m² (maximum 5 bedrooms per unit)

Farmstalls 100m²

Businesses 150m² (shops)
250m² (restaurants)

4.3.5 Bed and breakfast establishments

Should circumstances be such that bed and breakfast establishments are permitted to be built within a resort zone in a rural area, a height restriction of a single storey, with a maximum height of 6,5m, is regarded preferable. Depending

⁸ traditional Resort Zone I

⁹ traditional Resort Zone II

¹⁰ see definition

on visual impact and especially where existing structures in the immediate area are of such greater height, a double storey building of no more than 8,5m may, however, be permitted (height always being measured from the average natural ground level to the apex of the roof).

Applications are occasionally submitted for the development of guest houses on farms in rural areas that entail the erection of new buildings, in addition to those that already exist. This is not desirable. ***When it was originally decided that bed and breakfast establishments may be considered in rural areas, it was never intended to encourage densification that could ultimately transform, via cumulative effect, the local or regional rural character.***

An application for a guest house or bed and breakfast establishment on a farm in a rural area (which is not located within a resort zoning linked to a unique resource) can only be considered, all other relevant factors being favourable, as:

- a) a bed and breakfast establishment, and
- b) when an underutilized (probably relatively large) existing building is involved for this purpose that has already been there for a long time (and which is possibly of historic significance, provided that there is no negative impact in terms of heritage, but rather the opportunity to promote the latter and/or biodiversity).

The proposal must not require development of new building(s), whether for:

- i) the bed and breakfast establishment itself; or,
- ii) as a result of replacement to accommodate the use that has been in an existing building before (the latter then being used for intended bed and breakfast establishment purposes),

in order to make the operation of the proposed bed and breakfast establishment possible.

Furthermore, an above-mentioned bed and breakfast establishment should not be approved in the form of consent of Council as an additional dwelling unit on a land unit in Agricultural Zone I in terms of the "Section 8" Scheme Regulations. The development of bed and breakfast establishments (or guest houses) on farms have not been the intention of this particular provision in the Scheme Regulations.

Where the requirements outlined above are met and a bed and breakfast establishment is therefore permitted, such use should be of limited scale only, as defined in Chapter 8. Bigger similar industry such as sizeable guest houses and hotels are more appropriate in cities and towns than on farms in rural areas.

Otherwise, as indicated earlier, bed and breakfast establishments or guest houses can be considered as new buildings when these will be situated within a resort zone that is linked to a resource, as required in terms of these guidelines, in order to increase general public access to areas of special natural or cultural value (one of the primary objectives of the resort zone concept) and to promote tourism.

For the purposes of density calculations (refer to Tabel 1), one bedroom in bed and breakfast or guest house in a resort zone will be deemed to equal one unit.

The intention to enable the **general public to gain access** to natural and/or sensitive areas of special quality **lies at the core** of the principle of resort zoning. This is why resort development should still be considered in natural areas where development will never otherwise have been allowed. In rural or pristine areas, this objective will be defeated by Resort Zone II zoning followed by the development of holiday housing and its associated alienation of units.

4.4 INDIVIDUAL UNIT EXCLUSIVE USE AREA SIZE

The size of a holiday accommodation unit, which is intended only for holiday use and not permanence, should be such that it is more focussed on catering for basic needs of people than ordinary residential development would. In comparison, ordinary residential development should be more likely to have, for example, additional garages, a larger number of spacious bedrooms, guest rooms, staff quarters, etc than holiday accommodation. Resorts are mostly established in areas where no ordinary residential development would be allowed on account of environmental sensitivity. There is consequently also no need for large, fenced-off, private areas around the individual structures.

Where consent for holiday housing has been granted, or traditional Resort Zone II has been approved, aimed at the alienation of units, individual unit exclusive use area (or erf) boundaries usually have to be determined. It is then necessary that limitations be placed on the size of these individual unit exclusive use areas in order to:

- a) minimize the extent of the area to be disturbed, and
- b) ensure that the character of the area as a whole befits the character of the surroundings.

Outside the unit, an exclusive portion of land, in addition to the building footprint, measuring not more than 125 to 130m², can be demarcated for a *braai* area, washing lines, etcetera. Allowing for the permissible unit size and the demarcated exclusive area, the total individual unit exclusive use area size would then be of the order of 250m². See Table 2 above.

Individual unit exclusive use area sizes for resort zone units within urban edges can be slightly larger since the impact of the units within the built-up area would be less. The total individual unit exclusive use area size in this case, where consent for holiday housing has been granted, could be up to 300m², should a building unit maximum of 175m² (the exclusive portion in addition to the building footprint then being 125m²) be permitted. See Table 2 above.

The visual impact of the holiday units could be limited further if the rest of the surrounding land is dedicated and developed for communal use.

What should be guarded against, is that applicants speculatively obtain the rights for resort development, merely to sell the land on at an enhanced profit. *The primary objective with the permission given is to have the resort facilities established on the ground, for the benefit of the general public.* A suitable condition of approval should therefore be imposed with the rezoning to ensure that the development is completed within a reasonable period of time.

5. OTHER REQUIREMENTS FOR APPLICANTS

5.1 ENVIRONMENTAL PROTECTION

The greatest responsibility shared by the role-players in the establishment of a resort, is the protection of the environment in order to promote biodiversity and sustainability. It is also in the interest of an investor to protect his asset.

As part of the Municipal Integrated Development Plan (IDP) and Spatial Development Framework (SDF) processes, a Strategic Environmental Assessment (SEA), Integrated Environmental Programme (IEP) & Localised Strategic Environmental Guidelines (LSEG) should be compiled.

An application for resort development has to conform to the requirements of the Environment Conservation Act, No 73 of 1989 (ECA) and the regulations promulgated in terms of Section 21 thereof, as well as those of the National Environmental Management Act, No 107 of 1998 (NEMA). The regulations promulgated under Section 21 of the ECA, currently determine that the construction, erection or upgrading of a resort and associated infrastructure, is a listed activity that probably requires authorisation by the Department of Environmental Affairs and Development Planning. Section 23 of NEMA further determines that Integrated Environmental Management should be employed when any policies, programmes, plans or projects are drawn up to minimise the impact on the environment.

The duty of municipal officials to prevent pollution and ecological degradation, to promote conservation and secure ecologically sustainable development and use of natural resources, originates from the Constitution and NEMA and have again

been confirmed in the Local Government: Municipal Systems Act (LG:MSA) of 2000 (Act No. 32 of 2000). Section 4(2)(d) of the LG: MSA specifically states that municipal officials have a duty to exercise the municipality's executive and legislative authority and use the resources of the municipality in the best interests of the local community, and to ensure that municipal services are provided to the local community in an environmentally sustainable manner (Section 73(2)(d) of the LG: MSA reiterates the general duty with regards to the fact that municipal services must be environmentally sustainable, with Section 78 calling for an EIA to be done). Section 4(2)(j) and 4(3) of the LG: MSA further clearly states that municipal officials must respect the rights of people protected by the Bill of Rights and contribute to the progressive realisation of these rights.

When the delegated authority is satisfied that a proposed resort may be established, it issues a Record of Decision (ROD) approving the resort development. This ROD may include a list of conditions which must be complied with. These conditions must be strictly adhered to, as they are compiled specifically to ensure that adequate mitigating measures will be taken to minimise the negative effects of the development. The process in terms of the Land Use Planning Ordinance, No 15 of 1985 (LUPO) and ECA must be integrated and aligned as far as possible. This should apply especially with regard to an integrated public participation process. Pre-application meetings between applicants, the Local Authority and Department of Environmental Affairs and Development Planning, could assist in co-ordinating and integrating the various processes and contributions. Only once all the environmental information is available and the ROD has been issued, may the municipality decide on the rezoning application in terms of LUPO. Approval in terms of both the ECA and LUPO is required in order to legally develop a resort.

The Outeniqua Sensitive Coastal Area (OSCA) Regulations (R879/1996; R880/1996; R881/1996; R1526/1998; R1527/1998, and R1528/1998) in terms of section 21(1) of the Environment Conservation Act, No 73 of 1989 (ECA) must be complied with, should development be proposed in the area demarcated that stretches approximately from the Groot Brak River, Kaaimans River to the Bloukrans River.

It is considered good practice to restrict the extent of any Resort zoning to a minimum area of land, only just including the units themselves. This prevents later pressures for the establishment of additional units. In this respect it is important to note though, that the parameters within which a resort may be developed, are set by the conditions of approval as well as the approved Site Development Plan (see Section 5.4 on Site Development Plan). The development may not exceed what is allowed in terms of these approvals and if further development is required, then this will require a fresh application.

A suitable area linked to the restricted Resort zoning is often, though not always, zoned Open Space II, with a guaranteed access linkage between the areas.

In some instances where the rest of the property is rezoned to Open Space III, a legally binding Conservation Stewardship Agreement can be entered into with CapeNature, should the site qualify for the Conservation Stewardship Programme - see Annexure A. In this manner (and provided that the resort application meet the other land use requirements put forward in these guidelines), the owner(s) who is/are granted the right to a resort, is/are responsible for the upkeep and protection of the natural area. A similar type of arrangement can also be possible with regard to heritage considerations.

5.1.1 The conditions imposed by the Record of Decision

These would normally include:

- restrictions on the number, size and siting of units;
- measures to prevent, manage and mitigate environmental impacts to acceptable levels;
- prevention of pollution of water bodies and groundwater;
- a rehabilitation programme for disturbed natural and/or heritage areas;
- appointment of an environmental control officer, to oversee the construction phase and to ensure that the development phase is conducted in an environmentally responsible manner;
- the compilation of Environmental Management Plans (EMP's), by a competent professional for the various phases of the development (construction, operational, etcetera.), at the cost of the applicant. Clear and measurable objectives and management actions, which can be audited, should be set out in the EMP's;
- Conservation Management and Visitor Management Plans, and
- requirements of other authorities.

5.1.2 The Environmental Management Master Plan (EMMP)

The EMMP is drafted after the issuing of the ROD as part of the rezoning process and will cover all phases of the development namely, planning, construction, and ongoing operational phases. It needs to be completed before the final layout plans for the resort are approved and should include:

- measurable objectives and goals that can be audited;
- how the proposal is to be implemented, with measurable controls over implementation and funding (the applicant funds and takes responsibility for the EMMP);
- guidelines for the protection and monitoring of indigenous fauna and flora, archaeological and cultural/historic features (such as fencing off frontal dunes and the provision of boardwalks across wetlands);
- rehabilitation, restoration and landscaping programmes, techniques for the eradication and control of alien vegetation and the rehabilitation of indigenous

vegetation (for example, use of bio-control measures and ongoing erosion control measures);

- a fire contingency plan (for buildings) and a fire management regime for coastal fynbos;
- provision and maintenance of services, such as storm water management, sewerage, water supply, electricity and telephone supply, refuse removal, roads, and so on, also groundwater monitoring (water table levels and pollution);
- measures to minimise visual impact;
- provision for periodic/annual auditing to ensure compliance with the EMP; the resultant report to be presented to the municipality;
- indication of when and how audits must be done, as well as penalties to be imposed and other actions to be taken if non-compliance is found;
- time scales and funding for the implementation of the EMP;
- where required, provisions that should be made for the establishment of an Environmental Advisory Forum, consisting of 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, and
- possible appointment of an Environmental Control Officer who will ensure day to day supervision over environmental matters.

5.1.3 EMP for the Construction Phase (CEMP)

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

- an action plan which sets out the rules for the construction process;
- measures to be taken to keep damage to a minimum during the construction phase
 - protection of environmentally sensitive areas by temporary fencing and advisory signs
 - indigenous vegetation and topsoil reservation prior to construction, for re-use later, including similarly appropriate measures for archaeological and cultural/historic features
 - construction vehicles 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
 - regular weeding out of exotic plant seedlings before they establish such weeding to be continued through subsequent maintenance phases, and
- any other measures required to ensure that any damage necessitated by the building process is properly rehabilitated afterwards.

5.2 HERITAGE RESOURCE MANAGEMENT

5.2.1 Introduction

The National Heritage Resources Act, 1999 (Act 25 of 1999) directs the protection and management of the heritage resources in South Africa. This legislation serves as guidelines to the heritage resource management authorities in South Africa and developers and other authorities must exercise their discretion or take decisions in terms of this Act.

The Act applies to the actions of the State, local authorities and private individuals.

5.2.2 National Estate

National Estate includes, but is not limited to, places, buildings, structures and equipment of cultural significance, places to which oral traditions are attached or which are associated with living heritage; historical settlements and townscapes, landscapes and natural features of cultural significance, geological sites of scientific or cultural importance, archaeological and palaeontological sites, graves and burial grounds, sites of significance relating to the history of slavery in South Africa and movable objects.

5.2.3 Formal, legal protection measures applicable

A variety of formal protection measures, ranging from national and provincial heritage sites, protected areas, provisional protection, inclusion on the heritage register of a province, heritage areas and heritage objects have been included in the Act.

A number of other protection measures, including the legal protection of palaeontological and archaeological sites (including rock art) and meteorites, burial grounds and graves, structures older than 60 years and public monuments and memorials are also in place.

Applicants must be advised to contact Heritage Western Cape and/or the local authority to ascertain which properties and objects are formally protected by the Act and how any future development would impact on these heritage resources. Applicants should note that formal permit applications or authorisations would be required from the relevant heritage resource management authority to make changes to these heritage resources.

5.2.4 Development proposals subject to section 38 of the Act

Applicants must be advised to note that the provisions of section 38 of the Act provides that they have the responsibility to contact Heritage Western Cape at the very earliest stages of initiating a development and furnish Heritage Western Cape with details relating to the proposed development in order for HWC to determine if a heritage impact assessment is required. Where needed, the impact of the proposed development should be assessed, and this assessment should be undertaken by independent consultants in accordance with the National Heritage Resources Act (Act 25 of 1999). Section 38 of this Act clearly states that it is the responsibility of the applicant to notify the responsible heritage resources authority (Heritage Western Cape for the Western Cape Province) of the intention to develop and state the nature and extent of this development.

A Heritage Impact Assessment (HIA) should include specialist studies on various cultural resources that may be located in the area intended for development, such as: structures older than 60 years, possible archaeological and palaeontological resources, meteorites or sites where these would have impacted, possible Provincial Heritage Sites (PHS) already proclaimed within the area of development, oral histories attached to the place and the status of this landscape as a Cultural Landscape.

As a Phase I, the above studies should include the identification of such resources, an assessment of their significance, and recommendations for their mitigation (which might include the creation of formal protection measures). The Heritage Impact Assessment Report resulting from the assessment should be submitted to Heritage Western Cape. Should the development be subject to the requirements of other legislation, such as the Environmental Conservation Act, 1989 (Act 73 of 1989) or the integrated environmental management guidelines issued by the national Department of Environmental Affairs and Tourism or other legislation, Heritage Western Cape, where applicable, would comment on the proposed development after review of the required environmental impact assessment report before approval can be obtained from the provincial Department of Environmental Affairs & Development Planning.

5.2.5 Conservation Management Plans

Where heritage resources (as identified in terms of the National Heritage Resources Act, No 25 of 1999 – refer to Subsection 5.2.2 of these guidelines) co-exist spatially with the proposed development, Heritage Western Cape will require a Conservation Management Plan. This Plan must then be included as part of a Phase II Heritage Impact Assessment and Report.

5.2.6 Provisions relating to the compilation and/or revision of town or regional planning scheme or spatial development plan

Applicants and local and regional planning authorities must take note of the provisions of section 30(5) and 31(1) relating to the requirement to compile inventories of the heritage resources in the areas of jurisdiction of each local or planning authority and the submission of these surveys to Heritage Western Cape for further action.

Proposals for resort developments should be assessed at all levels of approval with circumspection as developments of this nature intrude in the cultural landscapes and townscapes of the Western Cape. The impact on the cultural landscape or townscape of each proposal should be formally assessed and co-operation between local, regional and provincial, and where applicable, national authorities should be encouraged when considering the impact of these developments prior to approval or turning down the application.

5.3 PHASING RESORT DEVELOPMENT

Reasons have already been given as to why the size of the majority of resorts proposed, should be limited. This will also relate to, amongst others, whether the resort is being approved inside the urban edge in a non-sensitive environment (least critical in terms of size), inside the urban edge in a sensitive environment (more critical in terms of size) and outside the urban edge, where all resort applications have to be considered critically in terms of size.

However, should a large development be 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 resort in total, final approval of rezoning is initially given in respect of Phase I only. This development then has to be completed and all the conditions of approval complied with to the satisfaction of the Department, as well as the municipality. Only then may sequential go-aheads be given by the Department and municipality in respect of the subsequent phase(s).

This is a useful mechanism to be employed by municipalities and the Department 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 municipality and the Department grant subsequent phase approvals. Particularly where a site has been badly degraded by alien vegetation, the municipality and the Department 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 municipality and the Department to re-evaluate the situation and to impose further conditions, if deemed necessary.

The other added advantages of phasing are that it:

- ensures that resorts grow gradually, in accordance with demand;
- gives the natural environment an opportunity to recover after each construction phase;
- ensures a system of continued co-operation between the developer and the established Home Owners' Association. The developer remains involved for a longer period of time and cannot disappear as soon as individual properties are sold and before any problems become evident;
- it is 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 (for 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.

5.4 COMPILATION OF A SITE DEVELOPMENT PLAN

Zoning Schemes generally do not prescribe definitive parameters for the development of resorts, which is important, in particular where resorts are developed outside the urban edge. It is therefore, understandably, accepted that municipalities, when approving applications for resort development, compel the applicant to prepare a site development plan. More recently, zoning schemes also often make this an absolute requirement. It is now required, both during the rezoning as well as the environmental authorisation application processes, that a clear and comprehensive exposition of the intended development be made available for scrutiny.

A site development plan, accordingly, is a detailed plan that graphically depicts the exact intention and scope of a proposed development (see also definition under Chapter 8 of this document). It is therefore very useful for the purposes of evaluation by the authorities. It has the added advantage that it can be amended to incorporate the spatial conditions as prescribed by the various authorities. The municipality will grant approval of the updated site development plan and this then becomes the blueprint for the development. Only after the latter has been approved and any valid appeals, which might have been lodged, had been finalised, may construction commence.

5.5 COMPILATION OF AN ARCHITECTURAL DESIGN MANUAL

5.5.1 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 the document, which covers all buildings to be erected, is to ensure proper aesthetic and architectural control over a resort development, thus also minimising any resultant, negative visual impact. It is all the more important, and should be especially comprehensive, where buildings are to be developed by different, individual owners or participants in a scheme. The manual should at least address the following aspects:

- architectural style, and character of buildings (with special reference to the principles of creating sustainable, efficient and environmentally friendly buildings)
- fencing arrangements
- materials and colours to be used
- hard and soft landscaping including signage
- height of buildings
- lighting (especially also site illumination)
- signage

5.5.2 Character of buildings/architectural style

In order to maintain the rural character of a local area, especially outside the urban edge (although this may also apply to natural/cultural sensitive areas within the urban edge), 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 prove its value and potential contribution to the local, visual environment.

Even in urban areas, especially with regard to development close to the urban edge and particularly where sensitive environments are impacted, architectural style also becomes an important consideration. Successful blending of the new development with its natural or socio-historical environment can often be achieved through sympathetic architectural and landscape architectural design.

For buildings which are more environmentally friendly, lower operating costs can be achieved by careful application of the **design, construction and maintenance principles for sustainable buildings**. These include:

- the correct sizing of buildings and spaces within them in order to avoid wasted space and energy
- appropriately sealing windows and doors to ensure optimum control of internal conditions
- using 'local' as far as possible, i.e. local materials, local knowledge and skills which will save on transport costs and are often better matched to local conditions and can help to develop/sustain local economies
- using standard material sizes to save on cost and waste
- using indigenous plant material for gardens which are best suited to local soil and climatic conditions
- being sensible rather than fashionable
- using energy-efficient, non-toxic insulation materials

5.5.3 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 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 and response to local climatic influences.

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 also becoming better understood in South Africa and could be considered, provided they comply with the relevant building laws and by-laws. Annexure B to this document provides a list of technology options that could be considered.

5.5.4 **Height of buildings** (see also Section 4.3 on Building Size)

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 (for example, 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.

Once the height is determined, it should be imposed as a condition of approval and be included in the architectural design manual. The height of resort units should be measured from the mean natural ground level at the centre line of the roof to the ridge of the roof and should be restricted to a maximum height of 6,5m under ideal circumstances.

5.5.5 **Fencing arrangements**

Because resort developments are normally set within natural areas, it is usually both unnecessary and inappropriate to define the individual property boundaries. The emphasis should be on the typical resort character and harmonious design of a holiday development where the fencing of the individual units should not be allowed.

Service areas, including washing lines, should nevertheless be screened as an extension of the buildings, using the same materials, colours and architectural style. Where screening for privacy is necessary, timber fencing (natural, creosote or green) with planted hedges can also be considered. The height of fences should be limited to 1,2m and 1,8m for screen walls. Block walls, precast concrete and elaborate, detracting designs should not be allowed. ***It should be noted, however, that in the case of most resorts developments, especially with regard to rural/nature orientated resorts, fencing is not considered desirable at all, whether it be internally or surrounding the entire resort development.***

The parameters for fencing should be stipulated in the design manual (for example 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.

5.5.6 Landscaping

Locally indigenous vegetation should be used to break the harsh, straight lines of buildings by screening, and also for stabilising denuded dunes or other disturbed, sensitive areas. Individual gardening, if at all permitted, such as possibly in the case of freehold units, should therefore be entirely focussed on indigenous and natural vegetation as well, except if the resort is not rural/nature orientated but located well within an urban area.

As much as possible of the indigenous flora of the site should be retained, especially in areas with wind-blown sand. Only indigenous plants (endemic to a particular area), which are non-invasive and well adapted to the situation in which they are growing (and therefore do not require excessive water or fertiliser), should be allowed in the landscaping of the development.

To add to the topographical interest of the site, wind shelter and screen structures, earthworks such as berms and mounds could be applied as part of the landscaping of the site, if appropriate in terms of the natural landscape.

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

5.5.7 Lighting

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

CFLs (compact fluorescent lights) and LEDs (light emitting diodes) should be used for lighting wherever possible. CFLs and LEDs are more efficient than normal incandescent lights and are therefore extremely cost effective. CFLs and LEDs come in a range of designs and "eco-tones" or natural looking colours.

5.5.8 Energy Efficiency

Passive solar design may be used to reduce energy consumption and thus the need for additional equipment such as air conditioning, as well as to ensure comfortable accommodation. Some important considerations are:

- north orientation of buildings (especially the most-used spaces within

- them);
- proper insulation of roofs and walls;
 - suitable roof overhangs (to let in the lower winter sun but provide shade from the hotter summer sun and to prevent outside glare from windows);
 - sensible fenestration combined with shading devices where necessary;
 - suitable ventilation for fresh air and cooling breeze;
 - natural lighting through windows and light wells, and
 - use of solar water heaters.

5.5.9 Signage

In addition to information about signage and any form of external advertising, direction signs and/or outdoor display in respect of the proposed development having to be provided in the Architectural Design Manual, signage can also be considered when conditions of approval are imposed. Furthermore, external signage details can also be included as part of the details of the proposed development, which are shown by the site development plan.

When signage is considered in connection with the resort, the character of the area has to be kept in mind.

5.6 THE PROVISION OF SERVICES

Before a resort development approval can be granted, the applicant should 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 resort at any point in time and, in respect of medium to large resort developments, it may be required of applicants to submit detailed service provision plans. These should address all aspects of services to be provided with reference to 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 and internal circulation and accommodation of vehicles,

5.6.1 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 the quantity and quality). Careful monitoring will have to be undertaken by the developer of the resort and checked by the Department of Water Affairs and Forestry (DWAF), to ensure that yields can be sustained. Potable water use should be calculated at 150 litres per person per day, and the quality should conform 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 controlled. Innovative methods to save on water supplies, such as by rainwater capture, should be encouraged and water saving methods, such as the use of bio-filters to allow for the re-use of sewage water (for irrigation), dual flush toilets and low-flow shower heads should be 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 on the property, only if aesthetics are not adversely affected. Reservoirs should preferably be sunk into the ground and berms and vegetation used to screen their visibility.

5.6.2 Sewage

Details must be provided of the sewage disposal system to be employed. In 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 (such as geology, percolation capacity of soils, slope and water table) to determine if 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 if the soil is unable to drain liquid effectively. This may occur in areas with very shallow water tables, 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. (Write into 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 systems, anaerobic digesters or composting toilets may also be considered.

5.6.3 Waste Management

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.

An extract from the “Waste Minimisation Guideline Document for Environmental Impact Assessment Reviews” is included in these guidelines (Annexure C). This provides important and comprehensive guidelines for the waste management of resort developments that should be imposed through the conditions of approval for such developments.

5.6.4 Other services

Further services to be undertaken may include:

- Power and telephone lines which should be placed underground.
- Innovative methods of energy supply, such as gas, solar energy and thermal insulation which should be encouraged where feasible.
- Storm water management should be undertaken in order to prevent erosion, to protect water sources from pollution and to preserve the ecosystems of watercourses. Paving of areas should be kept to a minimum. Where possible, storm water should be allowed to flow in open, landscaped channels into ponds or wetlands.
- A flood line certificate, or erosion setback determination in the case of coastal development, must be provided by a competent person in accordance with the relevant legislation. No development shall be allowed in the flood plain.
- The applicant should be responsible for any upgrading of access road infrastructure, such as traffic control measures or road widening, as may be necessitated by the traffic which may be expected to be generated by the development. Internal private roads, within the resort, could be allowed to be designed and built to lesser than normal municipal standards if considered appropriate in terms of the nature, extent and location of the resort. Responsibility for maintenance (resort owners or Home Owners’ Association) should also be taken into consideration.

5.7 RECREATIONAL AMENITIES

In order to be sustainable, resorts, in particular those that are relying on short-term rental, should provide sufficient recreational facilities. If this can not be provided, the viability of the proposed resort should be re-evaluated. If a facility is sensitive, or likely to be overloaded, additional recreational facilities such as walking or cycling trails may offer a viable alternative. If enjoyable walking trails are developed over land belonging to other landowners, or if a recreational potential are exploited on an adjacent property, formal agreements should be entered into with the relevant owners in order to make the most of the available resources in the area. A servitude right of way must be registered in order to ensure the perpetual right of access onto another, independent property.

Public parking and ablution facilities may be required to be provided by the

applicant of a resort under certain circumstances. Developments on the coastline must make provision for access to the area below the high water mark for the general public or day visitors. Such public access should, however, be examined for the sensitivity of the coastline and the dune vegetation, and be appropriately restricted where necessary.

Sites for caravans, when associated with resorts, should be located in non-sensitive areas, preferably in the form of smaller, dispersed sites, screened by earth mounding and for planting. The number of stands should be related to the biophysical constraints of the site and the carrying capacity of the amenities (such as tidal pools and boat launching ramps). Large camping/caravan sites should only be developed if dictated by demand and if suitable, non-sensitive sites can be found.

Recreational activities and associated infrastructure are seen as associated activities with a resort development and must be considered as part of the decision-making processes.

5.8 THE ESTABLISHMENT OF A HOME OWNERS' ASSOCIATION

If the units in a resort are to be individually owned, then a condition of approval has to be that a Home Owners' Association (HOA) be established, as required in terms of section 29(2) of the Land Use Planning Ordinance, No. 15 of 1985.

A HOA can be established for a proposed cluster, estate or gated development. It has a Body Corporate consisting of all the owners of units in the development, and derives its authority to manage, operate and maintain the common property from a Constitution or governing document, which is adopted by a majority of the owners present or proxied at a general meeting where a quorum is present. This Constitution has to be submitted to the municipality for approval.

A HOA's constitution should lay down the procedures for the establishment of the Association, and for the election and removal of directors/members of the Management Committee. More importantly, however, it should set out the duties of the Management Committee, which include the preparation of budgets and annual financial statements, and its powers to make and enforce rules governing the appearance and use of common and individual property.

The aforesaid rules, which serve as guidelines for the effective management, operation and maintenance of the common property, generally relate, inter alia, to matters such as landscaping, access and/or resource, the keeping of pets, recreation facilities, private streets and driveways, outdoor lighting, communal structures, refuse removal, the protection of the natural environment and indigenous wildlife, and, should these exist, fencing and/or shared security systems. A code of practice for the short-term letting of units should also be established in the interest of promoting tourism.

The budget covering the maintenance and repair of common property, wages and the purchase of goods and services, determine the levy or assessment to be paid by each member. The Constitution must therefore empower the Management Committee to ensure the determination and collection of these levies.

Other items usually detailed in the Constitution are powers -

- of the Management Committee to contract for goods and services
- to delegate functions to other members or employees of the HOA and
- to act against HOA members who default on review or break the HOA rules

The Constitution should also contain a provision setting out the proceedings with regard to the Annual General Meeting of all members of the HOA, with due notice being given. Also, members of the Management Committee will attend such meetings as ordinary members with no extra authority or voting power, except to vote proxies assigned to the Committee.

5.9 TRUST FUND

A Trust Fund for the financing of management functions, environmental auditing and conservation, must be established and administered by the HOA or Body Corporate of a particular development.

The Trust Fund must be established for all resorts applied for –

- a) outside the urban edge, and
- b) those inside the urban edge that fall within sensitive natural/cultural areas. The decisionmaking authority will determine whether or not the subject area is sensitive.

Whenever a resort unit is sold in the case of a) and b) above, a percentage of the sale price (as determined by the decisionmaking authority, the minimum being 0,5%) must be deposited into the Trust Fund. Furthermore, to ensure protection of, amongst others, the environment, in the event of bankruptcy, a sum of money is required to be put into trust for purposes such as rehabilitation, managed by the relevant authority, should the development company go insolvent.

5.10 INTEGRATED MANAGEMENT PLAN

Authorising authorities may, in their own discretion, require of applicants to combine several of the aforementioned documents into a single, integrated management plan. Normally, this would include the following items:

- Environmental Management Master Plan
- Construction Phase EMP

- Site Development Plan
- Services Provision Plan
- HOA Constitution
- Architectural Design Manual

This would facilitate record keeping and monitoring of the project by the authorising authorities.

5.11 SOCIAL IMPACTS

All resort developments applied for shall provide serviced land and top structures, to an approved subsidised housing scheme, where available, or to a fund set up for social housing, to provide for 10% social housing and 10% subsidy housing. Alternatively, a similar financial contribution can be made to a trust fund set up for the development of land, identified for integration and urban restructuring within the urban edge of the urban area closest to the proposed resort. This provision will be in addition to providing for own employees.

6. CONDITIONS OF APPROVAL : ISSUES TO BE CONSIDERED

6.1 FACTORS TO CONSIDER WHEN SETTING UP CONDITIONS FOR REZONING APPROVAL

As mentioned, it is very important that the impact of a resort is kept to a minimum, and that the resort is operated in a responsible manner. Due to risks posed by multi-unit 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 resort can be entertained, it is usually referred to other 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 section 21 of the Environment Conservation Act, No. 73 of 1989, an Environmental Impact Assessment (EIA) must be submitted to this Provincial Department. If the application is acceptable, in principle, 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.** Resort 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.** Resort applications are normally 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 disposal or treatment of sewage and prevention of pollution of water resources 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.** The application is 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), which act is 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.** An application is referred to this Branch if access is obtained from a provincial road, to ensure that it 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 should be compelled to be undertaken and a permit for development be obtained in terms of the Heritage resources Act.
- h) **CapeNature.** Resort 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 or seem unacceptable. 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. 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.

6.2 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 platform¹¹
- 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

¹¹ Should the resort units be dispersed over a large area, the **associated** resort **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 resort purposes may be considered, provided that the zoning boundary is drawn tightly around the outer limits of the cluster.

7. SUMMARY

A resort is intended to provide accommodation and appropriate facilities to holidaymakers and tourists in an area where they can have access to, and derive substantial benefit and enjoyment from a particular recreational or other tourism resource. The accommodation is intended, and designed, to provide for the short term needs of in-transit visitors. It is not intended to provide permanent accommodation for a select number of people to the exclusion of others.

The most important criteria for the location of a resort are:

- a) Compatibility with relevant provincial and local planning policies, including spatial and non-spatial planning documents.
- b) The presence of a unique recreational resource. This resource is:
 - i) usually a natural feature;
 - ii) occasionally, an already existing, established, man-made (which can be cultural-historic) feature, but then it is either (1) well within urban edges, or, (2) should it be in rural areas, then
 - complementary to a main unique natural resource, or
 - being of such major regional or even provincial significance, having been there for a long time and possibly being well-known, such as a huge dam, that it cannot be replicated in other parts of the rural area;
 - iii) of such nature that it makes the subject property particularly favourable overall above any other in the area - that is, advantageously distinguishable from surrounding properties in a comparable sense;
 - iv) of high enough value for many holidaymakers to want to travel thereto from afar and spending more than one day there (meaning that, for example, a site with unique splendid views, although adding value, does not qualify as such);
 - v) accessible for the benefit of the general public, and
 - vi) inseparable from the proposed resort to the extent that the permanence of access to the former can be guaranteed.
- c) The particular set of environmental opportunities and constraints applicable to the site being such that the impact of the resort can be managed and mitigated to an acceptable standard.

Resort density and size must be carefully considered both in terms of environmental impact and carrying capacity including the sustainability of

resource utilisation. This also means that, other factors being equal and not restrictive (such as environmental sensitivity, availability of water and other services), a bigger resort can be considered, should i) the resource be exceptionally distinct, such as a large hot spring, and ii) the property itself, on which the resort is to be established, be large. See Table 1. Maximum size is ultimately determined by the most restrictive of these factors. Resort density needs to be controlled in terms of the number of units (cottages or other building units) per hectare, as well as the size of buildings and “stands” permitted. Again, the floor areas of units need to be scaled and limited to the reasonable requirements of transient holidaymakers. See Table 2.

Limitations in the above regard can be imposed through conditions of zoning approval for which a check-list is given in Section 6.2 of this document. Approval for resort development is also required in terms of the EIA Regulations which will culminate in the issuing of a Record of Decision by the delegated authority. The latter is bound to contain conditions which would include requirements for environmental management, visitor behaviour management and, also, the siting and number of units allowed. The two processes should therefore be effectively integrated and mutually informative.

While there is advantage in the phasing of the development of larger resorts, it should be noted that the cumulative impact of the total development needs to be considered. Where early phases depend on later phases for viability, provision of infrastructure or amenities, the development should, from the outset, be evaluated in its totality. Where there is no interdependence of phases, each phase can however, be processed as a separate application.

It will be expected of a applicant to comply with the following requirements, all to the satisfaction of the relevant authorities:

- compilation of a site development plan
- compilation of an Architectural Design Manual
- arrangements and undertakings for the provision of services
- an undertaking for the provision of required amenities
- compilation of an Environmental Management Plan (both for the construction as well as the ongoing management phases of the resort)
- the establishment of a Home Owners’ Association (where applicable)
- the establishment of a Trust Fund (where applicable)

The possibility also exists for the owners of different, adjoining properties to develop a resort in partnership through the various legally binding mechanisms such as title deed restrictions or Conservation Stewardship. A reserve for the purposes of serving as a resource for a rural resort must be officially recognised and approved in terms of legislation.

8. DEFINITIONS

“additional dwelling units” means dwelling units that may be erected on a land unit in Agricultural Zone I or Residential Zone I where a permitted dwelling house has first been erected, provided that the second or subsequent dwelling unit, shall remain on the same cadastral unit, and provided further that in the mentioned residential zone the unit shall have a lesser floor area than the primary unit, and that in the mentioned agricultural zone, 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, may be allowed, and that no such unit shall be erected within 1km of the high-water mark of the sea;

“basement” means that space in a building, between the floor and the ceiling of the storey concerned, and which is partly or completely below the grade-line, provided that a basement shall be deemed to be a storey for the purpose of a height measurement where any portion extends more than 1,0m above the lowest level of the ground immediately contiguous to the building;

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

- a) the dominant use of the dwelling house concerned shall remain for the living accommodation of a single family, and
- b) the property complies with 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.

“bioregion” means a land and water territory, the limits of which are not defined by political, but by the geographical boundaries of human communities and ecological systems. It also comprises a geographical space that contains one whole or several nested ecosystems characterised by land forms, vegetative cover, human culture and history as identified by local communities, governments and scientists;

“bioregional plan” means a plan that addresses the relationship between economic activity and environment. It forms a basis from which to formulate spatial plans, focusing on determining areas with different development potential and status, and informing land development and management, favouring and protecting environmental integrity;

“buffer areas” are made up of remaining natural habitat in endangered, vulnerable and least threatened ecosystems, including remnants (determined by CapeNature and/or SANBI (South African National Biodiversity Institute)) in accordance with the National Spatial Biodiversity Assessment and/or applicable fine-scale biodiversity plans. Extensive agriculture occurs as an overlay zone because of the close relationship between dry land grazing and veld quality (biodiversity). There are two types of Buffer Areas. Buffer 1 in which land may be converted to other uses if satisfactory offsets are provided and Buffer 2 where no such offsets will be necessary;

“building height” means maximum height at roof pitch as measured from the natural, average ground level immediately below the pitch of the roof;

“building platform” means a predetermined and designated area of land to which all building construction in respect of a resort unit must be restricted;

“consent use” means the additional use right or a variation of a development management provision that is permitted in a particular zone, only with the consent of the Council;

“core areas” are terrestrial, aquatic and marine areas of high conservation importance (highly irreplaceable) that must be protected from change or restored to their former level of functioning. Both public and private ownership is permitted in Core Areas. Privately owned land should be designated in some way, either via title deed restrictions or as part of Conservation Stewardship should the site qualify. There are two types of Core Areas, namely Core 1 which currently enjoys a level of statutory proclamation or designation and Core 2 areas which should be brought up to Core Area 1 status;

“corridor development” means an urban form that appears along main transport routes inside of an urban edge, and could pertain to either an activity corridor or a transport corridor; an activity corridor then containing a mixture of commercial activities, residential components and transport, whilst a transport corridor would connect activity nodes without the mix of activities along the route;

“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;

“ecological corridors” are spatially defined (or demarcated) areas necessary for the maintenance of ecological integrity and the persistence of biodiversity patterns and ecological processes. Ecological Corridors link the Core 1 areas so that they create a continuous network throughout the province. They differ from Core 1 areas in that they can contain land currently designated for Buffer, Intensive Agriculture or Urban Development. Urban development, intensive and extensive agriculture should be discouraged within these corridors;

“environment” means the surroundings within which humans exist and that are made up of:

- a) the land, water and atmosphere of the earth;
- b) micro-organisms, plant and animal life;
- c) any part or combination of (a) and (b) and the interrelationships among and between them, and
- d) the physical, chemical, aesthetic and cultural properties and conditions of the foregoing that influence human health and well-being;

“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;

“Environment Conservation Act” means the Environment and Conservation Act, 1989 (Act 73 Of 1989);

“**erf**” has the same meaning as land unit;

“**floor**” means the inner, lower surface of a room, garage or basement and includes a terrace or atrium to which the occupants of a building have access;

“**floor space**” in relation to any building means areas normally construed as floor space (such as the area of a floor which is covered by a slab, roof or projection), as well as any basements, second storeys, lofts (into which living space has been extended), garages, outbuildings, and all other roofed areas; excluding:

external entrance steps and landings; any stoeps; projections including projections of eaves, a projection acting as a sunscreen or an architectural feature, which projection does not exceed 1m beyond the exterior wall or similar support, and any uncovered internal courtyard, lightwell or other uncovered shaft which has an area in excess of 10m², or any covered, paved area outside and immediately adjoining a building at or below the ground floor level, where such paved area is part of a forecourt, yard, external courtyard, pedestrian walkway, parking area or vehicular access;

Any balconies, terraces, stairs, stairwells, verandahs, common entrances and common passageways covered by a roof shall be included. Any stairwells, liftwells or other wells, and any atrium, in the case of multi-storey buildings, shall only be counted once;

Floor space shall be measured from the outer face of the exterior walls or similar supports of such building, and where the building consists of more than one storey, the total floor space shall be the sum of the floor space of all the storeys, including that of basements;

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

“**garage**” means a building for the storage of motor vehicles, but does not include a motor repair garage or service station;

“**guide plan**” means a plan that serves as a legally binding framework of future planning action by central, provincial and local authorities, and as a clear guideline for development actions by the private sector as well as all levels of the public sector. It used to be approved by the national minister concerned with town and regional planning, and was prepared in terms of section 6A of the Physical Planning Act, 1967 (Act 88 of 1967). Since 9th February, 1996, these plans were converted to either Regional or Urban Structure Plans in terms of the

later Physical Planning Act, No 125 of 1991, and are now deemed to have similar status as structure plans approved in terms of section 4(6) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

“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:

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

“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, but
- d) does not include a hotel;

“holiday housing” means dwelling units, mobile homes or camp sites that are harmoniously designed and built, for holiday or recreational purposes, and which may be separately alienated by means of sectional title division, the selling of block shares or the subdivision of property;

“Integrated Development Plan” (IDP) means a plan envisaged in section 25 of the Municipal Systems Act, 2000 (Act 32 of 2000) which deals with the integration of different strategies and sectoral plans relating to development, such as spatial, economic, social, infra-structure, housing, institutional, fiscal, land reform, transportation, environmental or water plans, to attain the optimal allocation of limited resources in a particular geographic area. It is a strategic, multi-disciplinary document dealing with the development strategy of an authority linked to its budget, and can be drafted by both Province and Local Government. The integrated development plan intends to establish a hierarchy of policy frameworks to facilitate and guide future development. It creates a “planning cupboard” which accommodates all sectoral plans that are in line with an authority’s development vision;

“intensive agriculture” is all land put under the plough including orchards, vineyards, forestry plantations, annual crops, pastures, and including land under irrigation;

“Land Use Planning Ordinance” means the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

“leapfrogging” means the location of new urban development beyond rural land in relation to existing settlements, other than when a planned and desirable new node is created;

“natural level of ground” means the level of the land surface on a land unit, in its unmodified state, or in a state which has been graded with the Council’s approval, for the purposes of development, provided that:

- a) any grading for the purpose of development shall connect evenly with the existing levels of abutting land units;
- b) where land is excavated, the excavated level is deemed to be the natural level of the ground;
- c) where it is not possible to determine the natural level of the ground, due to irregularities or disturbances of the land, the Council shall determine a level, and
- d) where land is excavated and the excavated material is used to extend a building site (cut to fill), the Council shall define a level;

“nature conservation” means the conservation of naturally-occurring ecological systems and the sustainable utilisation of indigenous plants and animals and the promotion and maintenance of biological diversity within those systems, with due regard to the need to preserve objects of geological, archeological, historical, ethnological, educational, oceanographic or scientific interest;

“nature reserve” means a protected area as contemplated in the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003);

“NEMA” refers to the National Environmental Management Act, 1998 (Act No 107 of 1998);

“owner” in relation to land, means the person or entity in whose name that land is registered in a deeds registry, and may include the holder of a registered servitude right, or lease, or any successor in title;

“phased development” as an adjective to ‘activity’, refers to building

development of which the ultimate extent is known or can be inferred from official information available, and which has been or is being or will be divided into physical sections or phases for the purpose of formal approval – such approval then occurring per phase as opposed to for the totality;

“primary use” in relation to land or buildings means any use specified in a zoning scheme or bylaw as a primary use, being a use that is permitted without the need first to obtain the Council’s consent;

“private open space” means any land which is or will be in private ownership, or municipal land on a long term lease, with or without access control, used primarily as a private site for outdoor sports, play, rest or recreation, or as a park, garden, or play area, or for nature conservation;

“public authority” means a state department, local authority or organ of state or the Provincial Government;

“public open space” means land which is under, or will be under, the ownership of the Council or other public authority, which is not leased on a long term basis, and which is set aside for the public as an open space, park, garden, picnic area, playground or square or for nature conservation;

“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;

“rezoning” means the amendment of a zoning scheme in order to effect a change of zoning in relation to a particular land unit or units;

“ribbon development” means the location of urban facilities outside of an actual or planned urban edge, in such a way as to be likely to lead to unplanned growth of urban development areas towards each other, but excludes corridor development which may be encouraged as an urban form inside of an urban edge;

“second storey” means the storey above the ground floor;

“Sectional Titles Act” means the Sectional Titles Act, 1986 (Act 95 of 1986);

“sectoral plan” means a plan that deals with one aspect of an integrated development plan (such as transport, water, services, the environment or housing);

“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;

“Spatial Development Framework” (SDF) means a framework that intends to indicate the spatial implications of the strategies of the Integrated Development Plan and to provide spatial guidelines for the future development of the area for which it is drafted. It differs in particular from the former structure plan which it replaces in that it indicates how land will be developed and managed in order to meet the development objectives identified in the Integrated Development Plan;

Spatial Development Plan” (SDP) means a more detailed plan prepared within the ambit of a spatial development framework;

“spatial plan” is a generic term that can refer to either spatial development frameworks or spatial development plans, as well as spatial planning policies on any planning level;

“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;

“storey” means that portion of a building included between the surface of any

floor and the surface of the next floor above, or if there is no floor above, then the ceiling, provided that:

- a) a roof, or dome which forms part of a roof, shall not constitute a storey, unless the space within such roof or dome is designed for, or used for human occupation, in which case it is deemed to be a storey;
- b) any storey which is greater than 4,0m in height, shall for the purpose of height measurement, be deemed to be two storeys and every additional 3,0m in height or portion thereof in the case of such storeys, shall be deemed to be an additional storey, and
- c) where the floor or ceiling of a storey is not level or has different levels, the average level shall be taken;

“structure” without in any way limiting its ordinary meaning, includes any building, shelter, wall, fence, pillar, pergola, steps, landing, terrace, sign, ornamental architectural feature, swimming pool, fuel pump and underground tank, and any portion of a structure;

“structure plan” means a plan approved in terms of section 4(6) or 4(10) of the Land Use Planning Ordinance, 1985 (Ordinance 15 of 1985);

“total floor space” of a building means the sum of the floor space of all the storeys of that building, including basements;

“tourist facilities” means amenities for tourists or visitors such as lecture rooms, restaurants, gift shops, restrooms or recreation facilities, but does not include a hotel or overnight accommodation;

“urban edge” means a line drawn around an urban area, which serves as an outer limit beyond which urban development should not occur;

“used” in addition to its ordinary meaning, includes “designed or intended to be used”;

“use right” in relation to land, means the right to utilise land in accordance with its zoning, including any lawful departure therefrom;

“verandah” means a covered, paved area (not being an area which is part of a yard or parking area) or a projecting floor outside and immediately adjoining a building at or below the level of the ground floor thereof, and includes both such area or floor and the roof or other feature covering it, as well as any low walls or railings enclosing such paved area or floor;

“zone”, when used as a noun, means land which has been designated for a particular zoning, irrespective of whether it comprises one or more land units or part of a land unit;

“**zone**”, when used as a verb in relation to land, means to designate the land for a particular zoning, and

“**zoning**” when used as a noun, means a category of directions regulating the development of land, and setting out the purposes for which land may be used and the land use or development management provisions applicable in respect of the said category of directions, as determined by relevant zoning scheme regulations.

9. SOURCES

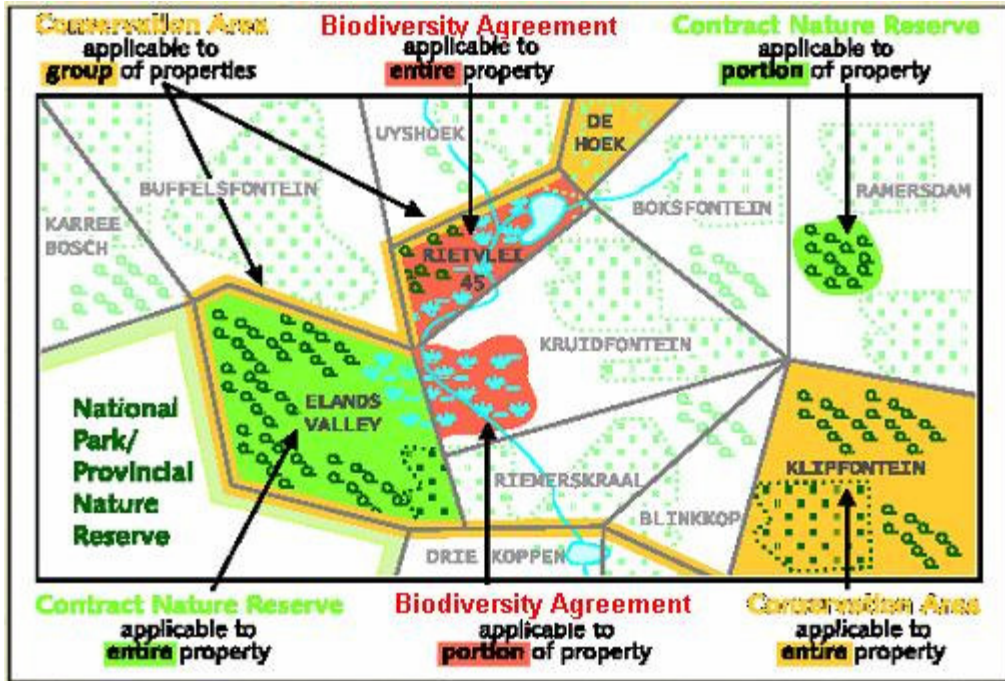
- Conservancy Policy, Cape Nature Conservation, August 1998 (Revised).
- Draft Bioregional Spatial Development Plans -
 - Langeberg : Formaplan
 - Mossel Bay : Urban Dynamics
 - Outeniqua : Planning Partners
 - West Coast : Dennis Moss Partnership
- Draft Coastal Zone Policy for the Western Cape : Dennis Moss Partnership (for the Provincial Government Western Cape)
- Groot Toren 4x4 Roete Bedryfsriglyne
- Knysna-Wilderness-Plettenberg Bay Regional Structure Plan (previous Guide Plan)
- Southern Cape Subregional Structure plan : Nel & De Kock
- Various external and internal letters and internal reports by the previous Directorate: Regional Planning, as pertaining to the subject of resort development.

ANNEXURE A

CONSERVATION STEWARDSHIP IN THE EIA PROCESS

- In general, Conservation Stewardship is a voluntary programme, however, it becomes compulsory if it is included as a condition in the ROD
- Each option is usually tailored to your needs as a landowner, however, when considering it as part of a resort development application, it should be tailored to meet the needs of the biodiversity on the site
- None of these options mean ceding ownership rights to CapeNature
- These stewardship options are being used to replace the various types of protected areas (e.g. private nature reserve, natural heritage site, mountain catchment area)
- The developer is responsible for all costs incurred by CapeNature when stewardship forms part of a development or EIA application, unless otherwise agreed to

OPTION	1 CONTRACT NATURE RESERVES	2 BIODIVERSITY AGREEMENTS	3 CONSERVATION AREAS
WHICH OPTION APPLIES TO YOUR LAND	<ul style="list-style-type: none"> • Priority areas adjacent to statutory reserves or sufficiently large to be self-contained ecosystems. • Critically important and threatened sites 	<ul style="list-style-type: none"> • Suitable for any conservation worthy land (especially wetlands and water catchments), not excluding small and isolated fragments. 	<ul style="list-style-type: none"> • Any natural land is suitable but not a good option if your land has rare or endangered habitats, unless this initial designation is seen as part of a plan to progress to higher conservation security
POSSIBLE LAND USE LIMITATIONS	<ul style="list-style-type: none"> • No development or land use rights or commercial utilities will be allowed (except as expressly provided for in the management plan), but access and residence rights are unrestricted • Owners retain title 	<ul style="list-style-type: none"> • Land must be managed in a way that will support natural processes 	<ul style="list-style-type: none"> • Very few, but the area needs to retain its natural character



Frequently Asked Questions about Stewardship Options

What are the benefits of becoming a custodian of natural habitat on your property?

- Natural vegetation (particularly wetlands) can act like a filter and preserve the quality of drinking water that collects in dams
- Clearing alien plants and implementing firebreaks will reduce the risk of damaging fires
- Conserving vegetation on slopes will prevent soil erosion
- Your income-base can be diversified through the wise use and marketing of your natural resources (e.g. ecotourism opportunities, professional hunting)
- By becoming involved in conservation on your land, you will have access to support, advice and assistance from dedicated CapeNature staff at a fee, as the arrangement arose as a result of an EIA application
- By conserving natural habitats on your property, you may be keeping certain plants and animals from extinction, while dramatically improving the survival chances of many others!

CONTRACT NATURE RESERVES	BIODIVERSITY AGREEMENTS	CONSERVATION AREAS
<p>Q: If I sell my property, will the restrictions stipulated in the contract apply to the owner?</p> <p>A: Yes, the same restrictions will apply. However, a new contract will have to be negotiated.</p> <p>Q: Will I have to remove existing infrastructure from the area that becomes the contract nature reserve?</p> <p>A: No, all existing infrastructure may remain.</p> <p>Q: Will CapeNature have unlimited access to my property if it becomes a contract nature reserve?</p> <p>A: No, but terms and conditions regarding access can be negotiated within the agreement.</p> <p>Q: Can I be assured that CapeNature can support the terms of the contract agreement in future?</p> <p>A: Yes, CapeNature is a government agency tasked with the mandate of nature conservation throughout the province, and is committed to this long-term vision.</p>	<p>Q: Who will bear the legal costs for drawing up a co-operation agreement?</p> <p>A: Since this will form part of the EIA process, the developer will be responsible for all costs incurred, unless otherwise agreed.</p> <p>Q: What will the consequences be if I choose to terminate the co-operation agreement?</p> <p>A: You will be liable for the total cost of CapeNature's management interventions and assistance over the period for which the agreement was valid.</p> <p>Q: Will I be able to utilise an independent arbitrator if conflict arises over the legalities of the agreement?</p> <p>A: Yes, you are fully entitled to make use of such services.</p>	<p>Q: Is a conservation area applicable to an individual property, a collectively managed/multi-landowner area (e.g. conservancy), or both?</p> <p>A: Both. It can apply to a single property or a group of properties, like a conservancy</p> <p>Q: What do basic extension services include?</p> <p>A: General advice, support and assistance, as well as input into the drafting of management plans, however, these services will be at the applicant's expense.</p> <p>Q: Will other people in the area be allowed access to my conservation area?</p> <p>A: No. Specific rules and agreements can be dictated by each individual landowner.</p>

ANNEXURE B

TECHNOLOGY OPTIONS FOR BUILDING DESIGN, CONSTRUCTION AND MAINTENANCE

There are a number of aspects around the Architectural Design Manual, which should include aspects around sustainable buildings. Some aspects that form part of sustainable building guidelines are given below. Although not all of these will be relevant to all developments, these should be noted and encouraged.

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 look tatty and tardy and then required 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 (those that require large amounts of energy to manufacture, transport and construct).
- Water saving appliances are becoming generally available – dual-flush toilets, low-flow showerheads and tap aerators 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 practice for sustainable buildings to save having to upgrade poorly performing buildings and pay for extra heating, lighting, air conditioning, water heating, and so on.

2. **Characters of building/architectural style:** There is also a need to look at the architectural style in urban areas, especially in terms of larger, more luxurious developments that are to be developed on the urban edge or in the urban buffer zone. Developments built in sensitive environmental and cultural areas should blend in with the natural and cultural environment. There are a number of examples where resorts have used the natural and/or cultural environment as part of their planning, with trees, plants, walls etc actually hiding the buildings when passersby are viewing it. This can be seen at some coastal resorts 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: 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.

<i>Building element</i>	<i>Conventional materials</i>	<i>Alternative choices</i>
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, water-proofed 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 100m² 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 resort 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 accommodation:
 - 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.
 - 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) – let in the light and catch the winter sun, but not too much window area so that warmth or cool cannot be retained inside when needed. They 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 – so that rooms can be ventilated as suitable using airbricks, opening windows or forced ventilation.
 - Natural lighting through windows and light wells.
8. **Install Solar Water Heaters:** these are relatively expensive, but result in substantial savings on electricity bills (water heating is the biggest part of most resorts' electricity use profiles).

ANNEXURE C

WASTE MINIMISATION GUIDELINES : RESORTS

WASTE MINIMIZATION GUIDELINES: RESORTS

Examples of waste generated during operation of a resort

- **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

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

ISSUE	OPTIONS/ OPPORTUNITIES/ CONSIDERATIONS
DESIGN PHASE	
Energy wastage	
Air-conditioning	<ul style="list-style-type: none"> ▪ structure orientated to optimise use of ambient weather and climate conditions for heating and cooling ▪ solar glazing or energy efficient windows to reduce need for air-conditioning ▪ insulation to reduce the need for air-conditioning ▪ 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 ▪ natural air flow used in preference to air-conditioning wherever possible
Door management	<ul style="list-style-type: none"> ▪ all external doors leading to 24 hour air-conditioned areas fitted with either revolving or automatic shutting devices wherever possible
Lighting	<ul style="list-style-type: none"> ▪ 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) ▪ programmed lighting (especially in low usage areas such as conference halls) ▪ low voltage or compact fluorescent lights used in place of incandescent globes
Refrigeration	<ul style="list-style-type: none"> ▪ cold rooms and freezers fitted with counter-weight doors to ensure that they cannot left open unnecessarily
Heating	<ul style="list-style-type: none"> ▪ multiple boilers to permit the minimum amount of water being heated to supply the resort occupants

ISSUE	OPTIONS/ OPPORTUNITIES/ CONSIDERATIONS
	<ul style="list-style-type: none"> ▪ the use of solar heating maximised
Water wastage	
Ablutions	<ul style="list-style-type: none"> ▪ washbasin taps fitted with flow reduction devices or aerators and motion sensors to ensure that they cannot be left running ▪ toilets fitted with reduced flow or preferably or dual flush systems ▪ urinals fitted with motion sensors and not continuous automatic flushing
Gardens	<ul style="list-style-type: none"> ▪ only plants adapted to the local climate used in landscaping to reduce the need for excessive watering ▪ timed irrigation systems for garden irrigation ▪ storm water catchpits for use in garden irrigation ▪ 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 as irrigation
Waste water management	
Waste water segregation	<ul style="list-style-type: none"> ▪ various waste water streams segregated so that re-usable/ recyclable water is separated from treatable or disposable waste water
Grease traps	<ul style="list-style-type: none"> ▪ all drains fitted with grease traps which are included in a maintenance schedule
Vehicle wash bay	<ul style="list-style-type: none"> ▪ a vehicle wash bay constructed that ensures that contaminated water is routed to the correct waste water stream and not storm water systems
CONSTRUCTION PHASE	
	<ul style="list-style-type: none"> ▪ see guideline on construction
RESORT OPERATION	
Energy management	
Air-conditioning	<ul style="list-style-type: none"> ▪ air-conditioning on regular maintenance schedule to ensure optimum operation
Door management	<ul style="list-style-type: none"> ▪ all external doors leading to 24 hour air-conditioned areas kept shut to limit the load on the air-conditioning units
Lighting	<ul style="list-style-type: none"> ▪ low voltage or compact fluorescent lights used wherever possible
Appliance usage	<ul style="list-style-type: none"> ▪ energy efficient appliances used wherever possible ▪ any washing appliances (such as dish and clothes washing machines) at the minimum effective temperature
Heating	<ul style="list-style-type: none"> ▪ only sufficient water heated to supply the needs of current resort occupancy
Water management	
Ablutions	<ul style="list-style-type: none"> ▪ all abluion facilities on a scheduled maintenance programme to detect and repair any leaks or malfunctioning control devices
Gardens	<ul style="list-style-type: none"> ▪ irrigation during the evenings and not during daylight hours ▪ watering hoses fitted with rigger gun spray nozzles ▪ taps around the estate fitted with locks to prevent unauthorised use, and included on a maintenance schedule to detect and repairs leaks
Washing appliances (dishwashers and washing machines)	<ul style="list-style-type: none"> ▪ appliances filled only to the minimum level required for effective functioning ▪ appliances used only when sufficiently full to warrant operation
General cleansing operations	<ul style="list-style-type: none"> ▪ high pressure hoses used wherever possible to reduce water consumption ▪ physical brushing or sweeping used in preference to water cleansing wherever possible (e.g. cleaning pathways) ▪ car/ vehicle washing only in the designated vehicle wash bay
Re-use of towels/ linen	<ul style="list-style-type: none"> ▪ guests provided with options of re-using the same towels/ linens as opposed to them being washed on a daily basis wherever possible
Cooking/ food preparation	<ul style="list-style-type: none"> ▪ water for washing fresh produce during preparation should be kept to a minimum and recycled
Swimming pools	<ul style="list-style-type: none"> ▪ backwash water recycled
Waste water management	
Waste water segregation	<ul style="list-style-type: none"> ▪ procedures for waste water segregation strictly observed at all times
Grease traps	<ul style="list-style-type: none"> ▪ all grease traps included in a maintenance schedule
Purchasing	
Amenity	<ul style="list-style-type: none"> ▪ refillable amenity dispensers (such as shampoos and soaps) purchased

ISSUE	OPTIONS/ OPPORTUNITIES/ CONSIDERATIONS
dispensers	wherever possible to reduce the volumes of packaging waste or products in which the minimum of packaging required is used
Bulk purchasing	▪ wherever possible bulk purchasing favoured to reduce packaging waste
Chlorinated chemicals	▪ wherever possible the use of chlorinated chemicals avoided and substituted with non-chlorinated alternatives
Source locally	▪ Wherever possible products and services are sourced locally
Biodegradable/ non-toxic products	▪ 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
Returnable packaging	▪ suppliers offering returns of packaging favoured wherever possible
Chemical storage and handling	
Decanting from bulk storage containers	▪ decant only the amount of the substance required to prevent wastage ▪ any excess stored for future use wherever possible ▪ decanting using pumps or dippers to reduce spillage
Estate management	
Watering	▪ irrigation kept to a minimum
Pesticides	▪ biodegradable pesticides used wherever possible ▪ strict adherence to application specifications
Fertilisers	▪ biodegradable or organic fertilisers used wherever possible ▪ strict adherence to application specifications
Renovations/ building maintenance	
Paints	▪ water based paints used wherever possible
Renovations/ maintenance	▪ renovations and maintenance planned to minimise the production of waste (see guideline on construction industry) ▪ waste segregation and recycling planned prior to commencement ▪ any waste generated segregated to maximise re-use or recycling
Catering/ events management	
Paper usage	▪ paper in the administration section re-used wherever possible even if only in the production of internal note pads
Disposable cups etc	▪ the use of disposable cups except in cases where they are biodegradable or recyclable avoided for functions wherever possible
Decorations	▪ decorations used in special functions and events re-usable wherever possible
Condiment containers	▪ refillable condiment containers favoured over individually wrapped alternatives wherever possible
General waste management	
Waste minimisation/ management plan	▪ a formal waste minimisation/ management plan implemented and maintained to continually improve waste minimisation and reduction efforts