

DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

The MEC of The Department of Cooperative Governance and Traditional Affairs hereby publishes the Draft Consultation Paper and Draft Norms and Standards for Enhancement and Protection of Landscape Character in KwaZulu Natal for public comment in terms of the KZN Planning and Development Act No.6 of 2008.

Members of the public are invited to submit written comments within 30 calendar days of the publication of this notice to the following address:

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Comments received after the closing date will not be considered.

CONSULTATION PAPER: DRAFT PROVINCIAL PLANNING NORMS AND STANDARDS - MAP & PROVISIONS REGARDING TOURISM CAPACITY IN RELATION TO LANDSCAPE CHARACTER IN KWASANI SUBREGION Prepared by the KWAZULU-NATAL PLANNING & DEVELOPMENT ACT, 2008, NORMS AND STANDARDS STEERING COMMITTEE: PROTECTION & ENHANCEMENT OF THE CHARACTER OF KWAZULU-NATAL'S LANDSCAPES, 19 FEBRUARY 2018

EXECUTIVE SUMMARY

Chapter 11 of the KwaZulu-Natal Planning and Development Act, 2008 (the Act) empowers Province to draft norms and standards to guide municipal decision-making on certain planning and development matters. The Act makes provision for a Steering Committee to assist the responsible Member of the Executive Council in the preparation of norms and standards. This involves preparation of a consultation paper that contains (section 140 of the Act), amongst other things, draft norms and standards. In this light, this document serves as a consultation paper and draft norms and standards are proposed in **Appendix 1**.

The draft norms and standards concern the management of the impact of tourism development upon the character of landscapes within a specified area in the uKhahlamba-Drakensberg region of KwaZulu-Natal. This is consistent with section 136(d) of the Act, which provides for norms and standards for a specified area within the Province.

This document explains the draft norms and standards. Landscape character and its management is identified as a Provincial interest and a landscape character assessment has been undertaken for the specified area, which the local municipality supported. The draft norms and standards apply the landscape character assessment in law - because of the importance of landscape character and the pressures upon it in the specified area, there is a need to regulate its management through Provincial norms and standards.

The draft norms and standards, contained in **Appendix 1** of this report, are summarized as follows.

Landscape character is fundamental to people's existence. An important issue in the uKhahlamba-Drakensberg region concerns the management of tourism development in rural areas. On one hand, sense of place of the countryside is strongly tied to the tourism image upon which the tourism industry depends. On the other hand, tourism developments, unless adequately managed can and do erode sense of place. Tourism development has been identified as a cause of impact in the region and requires management. Furthermore, attention must be given to the equitable development of tourism.

In all these instances, landscape character assessment is an important tool for the management of the tourism resource base. Therefore, these norms and standards apply a landscape character assessment that was undertaken in the southern uKhahlamba-Drakensberg, in a manner intended to promote equitable development of tourism within the capacity of its landscape.

Landscape character management is identified as a Provincial interest under the mandate of the KwaZulu-Natal Department of Co-operative Governance and Traditional Affairs (KZN COGTA).

The norms and standards, which are to be regulated under the Planning and Development Act, 2008, are consistent with the provisions of the Spatial Planning and Land Use Management Act, 2013.

The norms and standards pursue the aims of sustainable development as defined in legislation and a policy position is set out. Together with principles identified in legislation, certain principles of

relevance to landscape character management are identified: for example, promotion of equity. These lead to the goal of the norms and standards that involve the protection, restoration and enhancement of the landscape character of the area of interest through the regulation of tourism development.

The threefold objectives for the area deal with the role of local government in tourism and landscape character management; the Provincial monitoring and review role; and a point of last recourse wherein KZN COGTA is empowered to take action in the Provincial interest as necessary. These goals centre upon the regulation of proposals for tourism use and development with an understanding of the capacity of the landscape character areas for tourism, which derives from the KwaSani landscape character assessment.

The norms and standards allow for the classification of tourism proposals in accordance with their impacts upon landscape character. A schedule of the capacity of the landscape to accommodate various tourism types with differing levels on impact is provided. In the application of this schedule, rural tourism developments are either low-impact, free-entry types or higher impact types subject to consent. The Provincial interest is reflected in certain conditions of consent to be applied, which effectively binds local government approvals to the provisions of the norms and standards. Building plan approvals are also linked to landscape character management.

Landscape management is required to be addressed in the municipal integrated development plan and spatial development frameworks, as well as the scheme. The municipality is required to keep a public record of free-entry uses and tourism development applications, of which KZN COGTA is to be informed. The Provincial role in capacity-exceeding development is set out as well as Provincial monitoring and review.

The regulations include general provisions and statements of legal effect and stringency.

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1. PURPOSE OF THIS REPORT

This report proposes norms and standards under the KwaZulu-Natal Planning and Development Act, 2008, (**the Act**) for the management of the impact of tourism development upon the character of landscapes within a specified area in the uKhahlamba-Drakensberg region of KwaZulu-Natal. This report is intended for consultation purposes. It explains the proposed norms and standards.

The specified area is an area that approximated the 2009 KwaSani municipal area of jurisdiction and parts of the neighbouring district management area that fell outside of the Protected Area. (This area is also referred to as the *study area* in this report).

2. INTRODUCTION

This report explains the proposed norms and standards that are set out in **Appendix 1**. It is structured as follows:

- **Section 3** defines key terms that are used throughout the report.
- **Section 4** provides a background to the draft norms and standards.
- **Section 5** discusses the need for the draft norms and standards.
- **Section 6** provides an overview of the draft norms and standards and sets out the key issues to be addressed.

3. KEY TERMS

The terms 'landscape', 'landscape character' and 'landscape character assessment' are used throughout this report. The meanings of these key terms are introduced below.

3.1 Landscape

Landscape is a human concept – it encompasses how we view the land; how we hear, smell and feel our surroundings; and the feelings, memories or associations. Landscape reflects the relationship between people and place. The interaction of natural components and cultural patterns creates the rich diversity of landscapes, with their own distinctive features and sense of place. (CA and SNH, 2002).

Landscape is defined as human perception of the land conditioned by knowledge and identity with a place.

Landscape is about the relationship between people and place. It provides the setting for our day-to-day lives. The term does not mean just special or designated landscapes and it does not only apply to the countryside. Landscape can mean a small patch of urban wasteland as much as a mountain range, and an urban park as much as an expanse of lowland plain. It results from the way that different components of our environment - both natural (the influences of geology, soils, climate, flora and fauna) and cultural (the historical and current impact of land use, settlement, enclosure and other human interventions) - interact together and are perceived by us. People's perceptions turn land into the concept of landscape. This is not just about visual perception, or how we see the land, but also how we hear, smell and feel our surroundings, and the feelings, memories or associations that they evoke. (CA and SNH, 2002).

3.2 Landscape character

Landscape character is concerned with the sense of place of different areas and regions – the essential attributes of a place that give rise to its unique and memorable qualities.

Landscape character is defined as a distinct, recognizable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse. Particular combinations of geology, landform, soils, vegetation, land use, field patterns and human settlement

create character. **(CA and SNH, 2002)**. Landscape character, which is the pattern that arises from particular combinations of the different components, can provide a sense of place to our surroundings.

3.3 Landscape character assessment

Landscape character assessment is a tool for managing landscape character. It has emerged as an appropriate way to look at landscape because it provides a structured approach to identifying character and distinctiveness as well as value. **(CA and SNH, 2002)**. Landscape character assessment of the study area recognizes the important role tourism development plays in shaping the character of the landscape.

Landscape character assessment is the process of systematic description, classification and analysis of landscape, in order to identify, describe and understand its character **(Scottish Natural Heritage, 2016)**.

Landscape character assessment involves description and evaluation **(CA and SNH, 2002)**:

- Identifying, mapping, classifying and describing landscape character. This is a relatively value-free process.
- The process of making judgments based on landscape character to inform a range of different decisions: for example, the management of tourism development in terms of landscape character.

4. BACKGROUND TO THE DRAFT NORMS AND STANDARDS

The introduction of the KwaZulu-Natal Planning and Development Act, 2008, allowed Province to produce norms and standards to guide planning and development. Five broad topics were identified as subject matter for norms and standards. One of the topics involved management of the character of KwaZulu-Natal's landscapes – the norms and standards proposed in this report are a part of this initiative.

Chapter 11 of the KwaZulu-Natal Planning and Development Act, 2008, **(the Act)** sets out a procedure for drafting norms and standards. In terms of this, the MEC: KZN COGTA appointed a Committee to draft norms and standards relating to the topic of landscape character. As a result, the Committee identified a number of landscape character management issues. It also recognized that landscape character assessments had been done in the uKhahlamba-Drakensberg region, piloted by KZN COGTAs study of 2009 KwaSani Local Municipal area and adjacent district management area (outside of the World Heritage Site). Consequently, the study of the KwaSani subregion was seen as a pilot in a broader Provincial initiative.

The uKhahlamba-Drakensberg landscape character assessments came about in the following way. In 2007 an opportunity arose to develop an understanding of landscape character in KwaSani Local Municipality. The KwaSani landscape character assessment was prompted by the implementation of World Heritage Convention. The uKhahlamba-Drakensberg Park had been listed as a World Heritage Site, requiring a buffer zone surrounding the nominated property. The purpose of this zone is effective protection of the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property.

Landscape values were included in the Site's nomination. Ezemvelo KZN Wildlife, the management Authority for this World Heritage Site, convened inter-departmental committees in order to develop

a buffer zone. Spatial Planning Directorate of KwaZulu-Natal's Department of Local Government and Traditional Affairs (currently **KZN COGTA**) was asked to champion the landscape issue.

At the outset, it was recognized that appropriate management of landscapes surrounding the Park benefits KwaSani and its people and supports the values underpinning the World Heritage Site. Moreover, KwaSani's landscape is an important tourism asset in its own right. In this instance, sustainable tourism needs good landscape management. In the face of pressure for tourism and related development, this suggested the management of landscape character throughout the KwaSani municipal area.

Although concern with the distinctive qualities of KwaSani's landscape was not new, means of dealing with this concern involved relatively recent developments. Widely-accepted tools became available to deal with landscape character in a systematic way, although local application in KwaZulu-Natal was not evident when the KwaSani study was done. Certainly, with KZN COGTAs landscape character assessment, KwaSani was the first municipality in the province to use landscape character management in a systematic manner in integrated development planning.

Therefore, the landscape character assessment of the KwaSani subregion (the study area) was a pilot study that was documented, inter alia, in a Technical Report (**Escott and Kiepiel, 2009**) and an updated landscape character assessment (**Kiepiel and Escott, 2017**). The KwaSani assessment was followed by Ezemvelo KZN Wildlife-commissioned landscape character assessments for the remaining municipalities in the uKhahlamba-Drakensberg region (see, for example, **Quayle et al, 2011**).

The KwaSani landscape character assessment described the study area in terms of 40 landscape character types, containing over 650 landscape character areas. The latter areas are farm size on average but some are under 5ha in size. The assessment determined the impacts that different types of tourism development would have on the character of the landscape. This gave a measure of the capacity of the landscapes of the study area to absorb different types of tourism without negatively affecting landscape character.

Therefore, the proposed norms and standards now look at taking forward the landscape character assessment into legislation and give landscape management legal status.

5. NEED FOR THE DRAFT NORMS AND STANDARDS

There are a number of compelling reasons for the norms and standards, which are discussed under the following headings:

- Importance of landscape character
- Regional planning importance
- Tourism pressure and socio-economic marginalisation
- Weaknesses in management of tourism development
- Good administration
- Clarification of mandates

5.1 Importance of landscape character

Although the importance of landscape character may not be a sufficient reason in itself for norms and standards, it

People value landscape for many different reasons, not all of them related to traditional concepts of aesthetics and beauty. It can provide habitats for wildlife and a cultural record of how people have lived on the land and harnessed its resources. Landscape can have social and community value, as an important part of people's day-to-day lives. It can contribute to a sense of identity, well-being, enjoyment and inspiration. It has economic value, providing the context for economic activity and often being a central factor in attracting business and tourism. (CA and SNH. 2002).

is a necessary condition – why bother if it is unimportant. However, the following reinforce the need for the norms and standards.

The primary reason for the norms and standards flows from the notion of sustainable development – landscape character is important to people and their environment. Our quality of life is fundamentally affected by the *distinctive* quality – the landscape character - of the place in which daily life is lived. Some examples follow.

Economic importance: Landscape character underpins the image upon which rural tourism is based – tourism management implies landscape management. **Zurick (1990)** emphasizes that the success of resource-based tourism depends upon the authenticity of the image developed. Landscape character may also support regional products – ‘products of place’ - by linking a product to a place of unique character: for example, regional foods or crafts.

Psychological importance – orientation: A landscape with a distinct character provides people with objects for orientation as they move through the landscape. This is important in daily life as well as for visitors in the region.

Psychological importance – a basis for people’s sense of belonging: Landscape also offers objects that people can identify with and gives people a start for making sense of their existence. A local example can be found in the mythology of Nomkhubulwana, who symbolizes fertility. Nomkhubulwana is also said to ‘present the appearance of a beautiful landscape with verdant forests on some parts of her body, grass-covered slopes on others and cultivated fields on the rest’ (**Krige, 1988**).

Cultural importance: Over time, peoples’ interaction with place becomes embedded in culture: for example language. In turn, landscape becomes an expression of history and culture.

Historical and social importance: Landscape evolves over time and is steeped in history, memories and meanings: for example, Siphongweni, Hodgson’s Peaks.

Ecological importance: Techniques emerging from landscape ecology highlight the importance of considering landscapes as a whole and particularly the connectivity of habitats - an understanding of the landscape provides a solid basis for developing visions for enhancing biodiversity (**Countryside Character Network Workshop, 2005**).

Aesthetic importance: A foremost art historian presented the following to the Italian Senate: “Landscape is the undeniable piece of artistic and cultural property and the foundation of any nation”, underscoring that “the aesthetic aspect of the environment is the result and not the precondition or cause of good policy, a good economy and a good administration of the environment.” (**Isman, 2002**).

Planning importance: Internationally, landscape character and its assessment are increasing in importance as a planning tool: for example, in support of World Heritage Site values. Landscape Character Assessment is not a preservation tool, but a tool to inform how change is managed (**CA and SNH, 2002**). It may form the basis of local development plans such as the municipality’s spatial development framework. The regional planning importance is discussed below.

5.2 Regional planning importance

Regional planning is a constitutional responsibility of Province. Regional planning concerns people-in-place and landscape concerns place. It follows that landscape character management as discussed here underpins regional planning. In these terms, the need for the norms and standards on

landscape character management is linked to the reasons for the importance of regional planning, which include the following (after **Dewar and Kiepiel, 1997**):

Mediating between different kinds of evaluations: Frequently, decision-makers are required to mediate in conflicts about different values placed on the landscape resource, because there are different ways of placing a value on a resource. Clashes between interest to conserve and interests to physically develop a landscape resource are not uncommon. The benefits of physical improvements are tangible, and can often be counted: for example, in jobs created or rates generated. The benefits of protection of landscape character are commonly less tangible and often immeasurable. As discussed earlier, these may derive from social values such as cultural and religious values (e.g. a living heritage landscape); or the conservation value of a resource in its unimproved or rehabilitated state.

The importance of landscape character assessment in mediating conflicts lies in providing a framework for evaluation that is greater than those of the conflicting interests. Because a landscape character assessment is a multi-dimensional framework, it is a statement of consensus on the various values derived from biodiversity, economic, heritage, social and other such considerations – it shows the value of the landscape as part of a bigger pattern. It locates an issue in a wider pattern of events and places.

Providing a framework for the rational allocation of resources: In situations of great need, such as in KwaZulu-Natal, demand for developmental resources massively outstrips those that can be supplied. It is therefore in the interest of groups in need that resource allocation occurs rationally. For this reason, it is essential that there is an agreed framework for resource allocation that is based on broader issues such as fairness or equity, and efficiency of resource use.

Landscape character assessment contributes such a framework. It is a systematic method driven by sustainable development aims, providing a rational approach to allocation of the landscape resource.

Managing negative externalities: An externality is an economic term. It refers to the effects that one producer's or consumer's actions have on others – it is thus a spillover or external effect of actions of individuals. They reflect the consequences for welfare that are not fully accounted for in the pricing and trading system involving individuals.

Positive externalities, or external economies, improve the range of options available to others. For example, location of a string of tourism-related hill towns in a rural area attracts numbers of people, providing opportunities for economic and other services. It also calls for transportation links, leading to tourism corridor development with wider social and economic benefits.

This also illustrates the role of landscape character management in regional planning – setting the preconditions for external economies to arise is a fundamentally important part of regional planning. For example, identification of landscapes of high capacity for tourism developments directly feeds into capital investment frameworks of regional plans.

Negative externalities, or external diseconomies, have the reverse effect – they occur when individual actions worsen the circumstances of others. A typical externality relates to the private use of the rural landscape in a way that disrupts patterns of rural life or the quality of the landscape: the individual may benefit but many other people are worse off.

Negative externalities often give rise to conflicts between groups, or between individuals and groups. These draft norms and standards, based on landscape character assessment, provides a

framework for mediating these conflicts. Central to the regulations is an explicit understanding and management of the degree of impact of varying tourism types.

Optimizing the performance of the whole: At the heart of regional planning is a concern with the whole. Regional planning is about natural systems, economies and lifestyles. It requires a systematic way of thinking that involves understanding the relationships between parts and how these can be integrated so that each benefits the other. It involves a way of thinking that is concerned with optimizing the performance of the whole as opposed to maximizing the performance of any one part – it recognizes that compromises and trade-offs are an essential part of the planning process. For example, if regional roads are seen simply in terms of maximizing movement, the potential of a tourism corridor may be missed; or wild lands compromised. This results in limitations or removal of opportunities for businesses to establish.

Landscape character assessment plays a vital role in this systematic way of thinking. Rather than the comprehensive collection of frequently-useless data, landscape character assessment assembles data in an integrated manner, such that places are described as a result of the interplay of natural systems, infrastructure and movement, social and economic systems and human settlement. It analyses data in a manner that is centrally relevant to the development of rural tourism.

Responding to changing time and spatial scales: An important aspect of viewing a region as a totality involves seeing it in terms of its multiple time and spatial scales.

Seen in time, regional planning is not simply concerned with the present and the immediate future. The natural environment, the original basis of the region, is overlain by civilizations of prehistory and history, and is the basis of those of the future. Regional planning has regard for these multiple time scales. Each generation has responsibility to future generations and, in turn, is the inheritor of past legacies and the custodian of things of values of the past. Landscape character assessment, with its aims of sustainable development, is central to this.

In a similar way, the region is viewed in its multiple spatial dimensions – the overall entity simultaneously comprises places within the region, and the region is also a part of larger places and the world.

It is not easy to hold in mind these multiple time and spatial scales of the region at the same time, and to consider any regional issue in these terms. This, however, is essential to regional design. This is what makes regional planning of importance to individuals and interest groups.

Commonly, most individuals and interest groups are concerned, and informed, mainly about issues that immediately affect their lives – issues that are close to them in time and space. Where conflicts of interest between these individuals or groups arise, there is no assurance that wise decision-making will result without a broader perspective on the issue.

It is the responsibility of regional planning to provide a broader space-time framework for decision making. Again, landscape character assessment is pivotal. Its basis includes an understanding of the natural and cultural heritage of the region. Its time dimension derives from its aims of protection, restoration and enhancement for current and future generations.

Understanding the relative value of resources: An important aspect of viewing the region in its multiple time and spatial scales relates to the value of resources. The value of resources, and what is possible for the economies of different regions, is not the same from place to place. Resources that have little value nationally may have great value regionally or locally. Similarly, resource values in a region vary with time – while the immediate value of a resource such as wild lands on the periphery

of the region may be seen to have little value or conservation significance, perceptions of value change with time.

From a tourism perspective, the landscape character assessment plays an important role in identifying the entire range of tourism capacity from rudimentary projects to hill towns. Because this is identified regionally, the role of local resources in a wider system are seen: for example, individual pockets of land of low capacity assume far greater significance when their spatial distribution and linkage is seen, suggesting regional hiking or trekking trails involving a number of different tourism operators.

Aggregation and disaggregation: In situations where enormous challenges are faced, as with South Africa's development, the principle of disaggregation – breaking down very large problems into manageable bites – is fundamental. In this regard, the hierarchical nature of the landscape character assessment is an appropriate instrument to give national and provincial policies and strategies substance.

The reverse applies in the process of aggregation.

Needs and priorities identified on the ground are a primary input into the allocation of resources by higher levels of government. The contribution of landscape character assessment, which provides a geographic framework to house peoples' values in relation to place, is a relevant tool for sectoral integration at the fine scale upwards. Clearly, it facilitates a geographical basis of planning required by the Spatial Planning and Land Use Management Act, 2013.

Regional identity: This is the experience of regional uniqueness and difference. From a regional planning perspective, this uniqueness is an important key to the economic future of the region. It contains enormous potentials for tourism of all kinds, it offers particular lifestyles (a factor which may well become increasingly important in attracting investment); and because, if properly managed, a region can move towards a dynamic balance between wild, agricultural and urban landscapes, with the benefits of economic diversification that this implies.

It is essential, therefore, that this uniqueness be maintained and enhanced. Landscape character management is central to this.

5.3 Tourism pressure and socio-economic marginalisation

This section examines the socio-economic and landscape problems that currently arise in relation to tourism development in the area.

The World Heritage Site Buffer Zone Technical Committee has conducted a ranking analysis in order to isolate the ten utilisation practices that are to form the priority focus of management attention in the Buffer Zone (**Forster, 2007**). Of these, management of tourism development and associated infrastructure features highly. Various problems and pressures have been identified with tourism development in the uKhahlamba-Drakensberg region. The following highlights a twofold problem that pertains to the region and the study area: socio-economic marginalization and tourism impact upon landscape character.

Firstly, socio-economic marginalization is a widely recognized feature of South Africa's tourism economy. This is reflected in core policy concerns, which include various forms of empowerment (particularly in ecotourism); the promotion of individual entrepreneurship in tourism; and of new SMME opportunities in tourism projects (**Rogerson, 2001, p.128**). The mountain region follows the national trend - marginalization is widespread across the range of types and sizes of tourism establishments - life-style investment estates, larger tourism establishments; smaller B&Bs and self-catering; and camping and caravan facilities.

Played out in space, large-scale facilities frequently command the very desirable areas in close proximity to the entrances to the Mountain Park and in an extreme case, access to the entrance of the World Heritage Site is only possible through a gated estate. Except for rare instances of conscious intervention, communal areas are not integrated into the tourism economy of the mountain region.

Secondly, there is considerable concern that the cumulative impact of tourism facilities and associated infrastructure is undermining the qualities that defined the tourism attraction of the area in the first place – ironically, it is frequently the formal development process, involving larger, high impact projects, that tends to erode the unique character of the region that underpins its tourism product. Because of trends in the location of the large-scale tourism development, the impact is greatest near the entrances to the Mountain Park. Nevertheless, a wide range of tourism types impact upon landscape character.

These trends require careful management. As **Zurick (1992)** notes, modernization of remote and pristine venues can easily reach a point where the area loses its appeal to tourists. This is because there is often a cyclical pattern to the dynamics of tourism - after the initial exploratory, development and consolidation stages, stagnation sets in as the original attractions are supplanted by artificial ones, and the appeal of the area is lost.

The policy framework, within which these trends arise, is now examined.

5.4 Weaknesses in management of tourism development

Internationally, it is noted that there are differences in the way that the market and sustainability agendas relate to landscapes (**Primdahl and Swaffield, undated**): for example, in globally-competitive agricultural and forestry practices. It is recognized that national and regional plans and policies ultimately have various impacts on landscape character and socio-economic marginalization. Locally, there are a number of factors that result in impacts. The following are pertinent to the study area.

Need for a clear and firm policy direction: The policy framework is deficient. Regarding the series of provincial policies for the uKhahlamba-Drakensberg, which included landscape concerns, the regional approach to a recreation spectrum of the earlier policies has weakened over time. Other important policies tend to be ambivalent: for example, Provincial tourism policy and municipal integrated plans, wherein the balance between tourism development and conservation of the landscape resource base is not always unequivocal. A clear position and long-term view of development in the public interest is lacking.

Therefore, spatial restructuring is overshadowed by the short-term actions of many private developers acting in their own interests – instead of steady, incremental improvement supported by conscious public investment in infrastructure, there is incremental erosion of the resource base and landscape character.

In light of this, the draft norms and standards provide a clear definition of the capacity of the landscape to accommodate tourism development.

Need to manage cumulative development: There is a breakdown in the application of the strategic intent of policies in daily decision making. Development management tends to be treated as a short term problem of development control, not a long term process of sustainable improvement.

Implementation of strategic concerns such as a regional gradation of physical development has tended to be neglected over time and currently, with the tendency to view each application on its own merits – a process reinforced by municipal property rating that gains rates from development approvals irrespective of social and environmental costs.

This focus on the singular merits of development applications tends to ignore cumulative effects - a result of more than one development being built and is the combined effect of all developments, taken together. Cumulative impact of tourism facilities and infrastructure tends to erode the unique character of the region that underpins the tourism product, ironically, driven by the formal development process, frequently involving larger, high impact projects.

Therefore, the draft norms and standards are designed to address cumulative development.

Need for economic and socio-economic diversification: Diversification is fundamental to economic growth. Economic growth occurs in space and fundamentally, spatial diversification of tourism relies on a regional range of urban, rural and wild landscapes. However, the area as a whole is not fully diversified. As mentioned, pockets of development concentrate in choice locations such as the World Heritage Site entrances that are dominated by larger operators. On the other hand, the preconditions for a small tourism economy are not developed. For example, planning for small tourism is not integrated into a holistic development concept and therefore infrastructure requirements for small tourism enterprises are not developed.

A precondition for successful diversification is an understanding of the capacity of the landscape resource base across the region and the different types of tourism development it can accommodate. This underpins the draft norms and standards.

Need for special attention to management of wild areas: Breakdown of conscious diversification particularly impacts wilderness tourism. Because the wild qualities of the landscape are highly vulnerable, impact of larger tourism developments upon the wild character of places is considerable. In turn, this undermines the potential for development of small tourism systems based on the wilderness resource. The draft norms and standards address this issue in taking account of wild lands in capacity assessments.

Need for appropriate attitudes to landscape: Planning attitudes and tendencies profoundly influence the management of the landscape resource base. Unless properly conceived, tourism development can impact upon people's less tangible needs including the character of their landscape. However, the planning and development management response lies at the root of these problems. The draft norms and standards have provisions that address this issue.

Need for specific inclusion of landscape issues in plans and policies. In order for planning to contribute positively to the management of landscape character, landscape character issues must be explicitly set out in plans (Kiepiel and Quinlan, 2000; Escott and Kiepiel, 2010). This implies that norms and standards must talk to the integrated development plan/spatial development framework and the scheme as well as sector department plans, so that landscape character issues are explicitly included. Regarding spatial development frameworks, for example, Dewar and Kiepiel (2012) argues

that a most basic landscape character concern involves differentiation of urban, rural and wilderness landscapes across the region. Definition of urban edges is pivotal.

Need for a developmental approach to transportation planning: Currently, the tourism economy is widely reliant on private transport and conversely, underplays the economic development benefits of systems around public transport and non-motorized means of movement, which have wider societal use.

In order to obtain greatest benefit, it is critical that the tourism spaces, which are implicitly set up by the public-transportation route, are aligned with the potential of the tourism resource base. Secondly, various different activities have their own logical requirements in terms of access. Therefore, the more complex the accessibility surface, the greater the range of opportunities – in this case, potential tourism products.

This requires a complex, hierarchical network of access, in which different tourism products are supported by their relative need in terms of accessibility or inaccessibility. The success of the developmental approach depends on successful linkage of different orders and forms of movement: for example, linking higher order public transport with tracks and paths. Consequently, appropriate design is essential for release of the full economic potential of a tourism corridor.

The draft norms and standards assist in providing a concrete basis for aligning transportation infrastructure with the landscape capacity of tourism.

Need for stronger sector integration: Weak methodological integration in planning is ultimately detrimental to quality of life and regional identity (Kiepiel and Quinlan, 2000; Escott and Kiepiel, 2010). In situations where the interests of powerful sector departments dominate integrated planning, the performance of the whole may not be optimized although the performance of the part - the sector plan - may be maximized in terms of its internal logic. Integration requires compromises and trade-offs. The draft norms and standards should assist in sectoral integration, particularly regarding capital investment planning and economic development.

Consequently, one may conclude that these various policies and management practices are useful but inadequate. As a frequently inconsistent package, it tends towards *laissez-faire*. An effective developmental framework for clear and firm regulation of inappropriate development is lacking.

The developmental consequences are unfortunate - Michael Porter's acclaimed research into competitive advantage supports the argument that a laissez-faire market does not maximize economic welfare (Konchak and Pascual, 2005).

5.5 Good administration

Applications for tourism use and development in rural areas commonly call for depth and range of knowledge that covers a wide range disciplines – frequently, these applications are technically complex. In a context of scarce technical capacity, this is a burden on smaller, non-metropolitan municipalities that is particularly onerous.

In this context, these norms and standards put forward significant improvements in development administration of rural tourism developments. The following examples show how the draft norms and standards support of administrative requirements of the Act and the Spatial Planning and Land Use Management Act, 2013.

Clear and transparent: The rules of the game for processing of development applications related to landscape character and tourism are clearly set out and open to all.

Integrated: The system integrates a wide range disciplines and sector interests, providing a highly integrated approach to land use and land development. It also provides a geographic basis for spatial planning and monitoring of capital investment.

Promotes certainty: Because the norms and standards set out tourism capacity for all areas, potential developers are provided in advance with an indication of the types of tourism use and development likely to be condoned or refused, with high levels of certainty.

Practical and timeous: The practical system is not difficult to administer. The map and schedule provide tourism capacity of all areas. Because this product has considered the interests of a number of sectors and legal requirements (for example, regulations relating to cultural heritage), the speed of decision-making is likely to be accelerated considerably.

Spatial justice: As discussed, the draft norms and standards promote inclusion of people and areas formerly side-lined by the tourism economy. All traditional and other areas are included and the measures are responsive to geographic areas and scale of development.

Sustainability: The draft norms and standards are scaled to the administrative capacities of smaller rural municipalities, amongst others. Resource conservation and consistent land use in terms of environmental management instruments are inclusive considerations. Equitable land markets should be stimulated, because the tourism capacity of all areas has been clarified. The norms and standards promote land development in locations that are sustainable and limit urban sprawl. Integration of sectors, which is central to sustainable development, is promoted.

Efficiency: The integrated approach of the draft norms and standards optimizes use of existing resources and infrastructure. Negative impacts of tourism development are to be minimized. Development application procedures are efficient and streamlined.

The draft norms and standards set out a dynamic framework. Firstly, this implies that periodic revisions take place. Secondly, the landscape character delineations provide a framework for capturing local knowledge of different places – indigenous knowledge of heritage and planning significant: for example, traditional area plans. In turn, the landscape character assessment is a learning tool that empowers the public. Thirdly, the framework allows for expansion over time through ongoing inputs from development administration. It provides a framework for fine scale planning, expanding the steps in the hierarchy of landscape character assessment.

5.6 Clarification of mandates

Clarity is necessary on the mandates relating to the management of landscape character. This is provided in the draft norms and standards, as discussed under the issues, later in this report.

6. KEY ISSUES

The draft norms and standards pursue the aims of sustainable development. They require municipal implementation of the landscape character assessment of the specified area. This means that municipal tourism, municipal planning and development administration must take into account the landscape capacity for tourism development. The primary scheme mechanism involves special consent, in which approved tourism developments are subject to conditions that reflect the Provincial interest – conditions of approval are linked to the norms and standards. Province monitors and acts as necessary in the Provincial interest.

The following discussion identifies issues in the draft norms and standards that may require fuller explanation. The issues are discussed in accordance with the headings in the draft norms and standards (**Appendix 1**), although issues that are considered self-explanatory are not discussed.

6.1 Definitions

Tourism development: The norms and standards are directed at buildings (and associated infrastructure) that mostly relate to the hospitality industry, although exceptions include retail establishments and residential estates (in part or whole). Consequently, *tourism development* is denoted by the schedule of tourism categories or that which is substantially similar. These categories cover types of tourism currently occurring in the mountain region as well as the category ‘hill town’ that is novel to the region. High density, small foot-print hills towns have far less negative impact on the countryside than sprawling residential estates of suburban character. The latter lacks the benefits of urbanity and is widely regarded to be highly detrimental to the countryside (see, for example, Spatial Planning and Land Use Management Act, 2013, section 7(b)(vi)).

6.2 Background

Because the norms and standards are based on a landscape character assessment, a description of the landscape character areas and assessment of their tourism capacity are implicit. This implies that the norms and standards promote an inclusive tourism economy in a number of ways, as in the following examples:

- All landscape character areas have the capacity for some form of tourism development.
- A full range of rural tourism types (from trails to hill towns) may be accommodated in the study area, including areas under traditional or communal management.
- The schedule of tourism capacity of the landscape character areas shows the distribution of the landscape resource. A map of the spatial distribution of capacity promotes planning of tourism development: for example, a string of hill towns on a tourism corridor; or a trekking trail through wilder areas.
- Capacity allocation has regard for people’s previous marginalisation in the tourism economy.

6.3 Intention

Municipal decision-making tends to favour short-term outcomes that can be at odds with the intention of sustainable development. In addition, sector departments require co-ordination. It is an unfortunate reality that unless the Provincial interest in landscape character management is legislated, the landscape character assessment is unlikely to be implemented, particularly with regard to larger, high-impact uses.

6.4 Mandates

Government is not the only entity that shapes landscape character, and may not be the biggest one, but it is the one that manages it and which the draft norms and standards target.

This section argues that landscape character is a Provincial interest and landscape character management is a development planning responsibility.

Powers and functions

The Constitution confers different powers and functions on different spheres of government¹. Each sphere of government must exercise its own powers or functions². Each sphere of government must exercise its own powers or functions alone³, except powers and function that are conferred on both national and provincial government⁴. National government is responsible for national planning, including the National Development Plan⁵ and national Spatial Development Framework (SDF). National and provincial government are both responsible for “agriculture”, including the preservation of agricultural land, “environment”, including strategic environmental planning and environmental impact authorisation, “regional planning and development”, including regional norms and standards and plans, “urban and rural development” and “tourism”⁶. Provincial government is responsible for “provincial planning”⁷, including the Provincial Growth and Development Plan and the provincial SDF. Municipal government is responsible for “building regulations”, including the approval of building plans, “local tourism” and “municipal planning” including, the municipality’s Integrated Development Plan (IDP), municipal SDF, land use scheme and approval of applications to amend its land use scheme, zone land, rezone land, grant consent in terms of its land use scheme, approve the development of land situated outside the area of a land use scheme, approve the subdivision of land, consolidation of land, notarial tying of adjacent land, township establishment and removal, amendment or suspension of restrictive conditions of title⁸.

Therefore, each sphere of government has to make a contribution: for example, Provincial government regarding Provincial planning and integration, Provincial norms and standards and tourism; Municipal government regarding zoning of land, consent for buildings and building plan approval.

Landscape character: A Provincial interest

Regarding landscape character management, the following elucidates the precise role of province, so that it will not intrude on the municipal role.

An important principle that helps define the level of detail of Provincial management is that decisions should be taken at the lowest level in keeping with efficiency and sound decision-making. Each higher level, therefore, should be concerned with fewer, more powerful actions. Use of this principle defines Provincial issues and informs the scope of Provincial management of landscape character.

As an example of the application of this way of thinking, one may ask whether Province can undertake landscape character assessment and monitoring. It is apparent that landscape character management is at least:

- An issue that affects the province as a whole;

¹ *City of Johannesburg Metropolitan Municipality v Gauteng Development Tribunal and Others* 2010 (6) SA 182 (CC) at [56], *Minister of Local Government, Environmental Affairs and Development Planning, Western Cape v Habitat Council and Others v* 2014 (4) SA 437 (CC) at [12] and *Tronox KZN Sands (Pty) Ltd v KwaZulu-Natal Planning and Development Tribunal and Others (CCT 114/15)* at [20]

² *Habitat Council* [12], [14] and [16] and *Tronox KZN Sands* [20] and [21])

³ *Gauteng Development Tribunal* [56] and *Habitat Council* [16]

⁴ *Gauteng Development Tribunal* [56]

⁵ Section 85(2) of the Constitution

⁶ Part A of Schedule 4 of the Constitution read with section 125(2)(a) and (b) of the Constitution

⁷ Part A of Schedule 5 of the Constitution read with sections 104(1)(b)(ii) and 125(2)(a) of the Constitution

⁸ Part B of Schedule 4 of the Constitution and Part B of Schedule 5 of the Constitution read with section 156(1)(a) of the Constitution

- Involves impacts which transcend district municipal or metro boundaries; and
- Involves resources the value of which exceeds the value to the locality in which they are primarily found: for example, wilderness areas.

Therefore, Province can, and should, undertake a systematic approach to landscape character assessment and monitoring in consultation with municipalities. This is also consistent with Schedule 4 Part A of the Constitution, which defines 'Regional planning and development' as a concurrent national and provincial competence (this is in line with the 'Agriculture' competency).

On the other hand, municipalities must apply and implement such landscape character assessments and utilize these assessments in municipal planning.

In turn, this implies that Province must monitor the provincial landscape and landscape character management of municipalities, and act in the Provincial interest as necessary.

Landscape character management: A planning function

South African legislation provides for the management of natural and cultural heritage as well as development planning (including spatial planning). However, the mandate for landscape character management requires clarity.

Landscape character is about the character of place. Because places constitute natural and cultural landscapes (even seemingly natural areas), environmental and heritage mandates inform the management of landscapes. However, **Isman (2002)**, as discussed, reminds us that landscape character is more than the sum of the parts: "the aesthetic aspect of the environment is the result and not the precondition or cause of good policy, a good economy and a good administration of the environment."

This suggests that landscape is a 'meta-organization of relationships among different systems' (**Brunetta and Voghera, 2008**) such as environmental and cultural systems. This implies that management of landscape, particularly landscape character, is correctly located within a holistic discipline such as planning. Clearly, **Dewar (1996:51)** defines the core function of planning: 'The non-negotiable kernel of the discipline is the management of the impact of human actions on the natural and cultural landscape.'

Role of KwaZulu-Natal Dept. of Co-operative Governance & Traditional Affairs

Given that landscape character management is a planning function, KZN COGTA has an important role in landscape character management. This arises through the planning function as well as the co-ordination function of KZN COGTA, whose mission includes 'strengthen cooperation among all spheres of government'. KZN COGTA is centrally placed in the management of impacts upon the landscape and to address a fundamental cause of the problem, namely weak integration of sector departments. In addition, it has a pivotal role of municipal support.

Role of municipalities

Municipalities have responsibilities in the application and implementation of landscape character assessments through mechanisms such as the integrated development plan/spatial development framework, scheme, development application assessment, conditions of establishment, building plans approvals and conflict resolution.

Local government has a clear responsibility to protect and enhance the public good and the reasonable rights of individuals (**Dewar 2005**): for example, the regulatory injunctions contained in

the **Act** with regard to the environment. Following Dewar, it is noted that faced with potential conflicts relating to landscape character the local authorities' primary role is one of monitoring and regulation in an even-handed way that seeks to balance the needs of all affected parties. Restrictions on freedom of action should occur, but only on public good grounds. In turn, Province has a role in guiding decisions on restrictions.

However, **Dewar (2005)** argues that the more important reason for policy is the need to be proactive, regarding implementation of constitutional provisions affecting municipalities: for example, those relating to the environment, sustainable service provision, promotion of social and economic development and participative governance. One of the implications is that this reinforces the need for landscape character assessments to be implemented by local authorities.

Sector policies and guidelines

In addition to the area specific policies, there are sector specific policies and guidelines with which the draft norms and standards must engage: for example, policy regarding transportation and infrastructure.

Empowering legislation

The draft norms and standards are formulated under, and empowered by, the KwaZulu-Natal Planning and Development Act, 2008, (**the Act**). However, it is noted that section 10 of the Spatial Planning and Land Use Management Act, 2013, provides for Provincial norms & standards and monitoring.

6.5 Aims

Contextualization of the management of landscape character within the aims of sustainable development is entirely consistent with international practice: for example, the European Landscape Convention.

Given that landscape character management is a development planning matter, the definition of sustainable development set out in the Local Government: Municipal systems Act, 2000, is appropriate. Nevertheless, it is noted that the definition of sustainable development in the National Environmental Management Act, 1998, similarly refers to (a) integration of social, economic and environmental factors; and (b) ensuring that development serves present and future generations.

6.6 Policy position

Four issues are highlighted:

Firstly, a policy position serves to locate the norms and standards in a broader Provincial landscape management concern – part of a broader initiative involving a wide range of actors.

Secondly, a policy position serves as a declaration of intent, akin to a vision of the initiative. It also provides a fall-back position in the event of dispute regarding matters of detail.

Thirdly, infrastructure can make or break landscape character regionally or locally. There are important policy provisions in this regard. This concern is consistent with 'spatial quality', an overarching principle in the National Development Plan 2030 (discussed below).

Fourthly, management of cumulative development is a central concern of the draft norms and standards.

6.7 Guiding principles

Certain normative principles are set out in South African law, from which guiding principles for the norms and standards may be derived. These principles are set out in framework legislation such as the Constitution, Spatial Planning and Land Use Management Act, 2013, National Environmental Management Act, 1998; and related legislation such as the Biodiversity Policy and Strategy for South Africa: Strategy on Buffer Zones for National Parks (Government Gazette, 8 February 2012).

Parallels are seen in the National Development Plan 2030. Its overarching principles for spatial development include SPLUMA principles as well as 'Spatial quality', recognizing that 'the aesthetic and functional features of housing and the built environment need to be improved to create more liveable, vibrant and valued places'. Regarding provision of infrastructure in rural areas, the National Development Plan 2030 refers to the manner in which spatial planning can assist in judgements related to 'sensitivity to the differentiated nature of rural areas, with some areas justifying high levels of need and development potential'.

Therefore, an interpretation of these principles should be set out in the norms and standards. For example, regarding the equity focus, landscape policy cannot be separated from broader development concerns. In the South African context, landscape policy must support socio-economic integration and upliftment. Policy should be concerned with the needs of poorer people and SMMEs and the release of opportunities for them: for example, people's involvement in construction of the image of rural tourism through small business opportunities (tea-shops, overnight accommodation) on non-motorized trekking trails.

6.8 Goal

The norms and standards seek to manage landscape character, not preservation. Landscape sensitivity and capacity refer to a landscape's ability to accommodate change. Capacity reflects the idea of limits of acceptable change in relation to specific types of impacts. It concerns the ability of the landscape to accommodate different amounts of change or development of a specific type. **(CA and SNH, 2003)**. Therefore, a key function of landscape management involves accommodating change without fundamental change of the character of the landscape. For example, the direction of change is toward a landscape that supports tourism, rather than a 'tourism landscape' - the latter involves a fundamental change.

The landscape character assessment, upon which the draft norms and standards are based, sets out a positive approach to guide development. It identifies the specific landscape characteristics that are sensitive to tourism development. From this, together with an appreciation of how these are valued, it provides an overall understanding of capacity. The results should help guide the right type and size of development to the right location to ensure that the key characteristics of the landscape are not adversely affected. A wide range of tourism developments are compatible, but this does not imply that anything goes anywhere. Following the *2001 White Paper on Spatial Planning and Land Use Management*, there is effectively a presumption in favour of planned development as opposed to a presumption against development.

6.9 Objectives

The first object is addressed at local government organs of state: for example, the local and district municipalities or the municipal appeals tribunals. It includes those mentioned in section 138(1) of the **Act**, which refers to Municipalities, the Appeal Tribunal and any other organ of state on which the power has been conferred to consider applications for the amendment of schemes, the subdivision an consolidation of land, the development of land outside the area of a scheme, the phasing or cancellation of an approved layout or the alteration, suspension or deletion of restrictions relating to land.

The second and third objectives refer address Province, namely, KZN COGTA. Objective two is a precondition for objective three.

6.10 Tourism capacity

The norms and standards provide a procedure for determining whether an area has the requisite capacity for a proposed tourism development.

First, the type of tourism inferred by the development proposal is determined.

Second, existing tourism uses are checked for lawfulness (and if unlawful, are subject to an application in their own right before the proposal is addressed).

Third, it is established whether tourism rights have previously been granted subsequent to the 2009 baseline. (As part of the landscape character assessment, all lawful tourism developments were then identified, providing a basis for further tourism development within the tourism capacity of the landscape).

Fourth, provided rights have not previously been granted, the development proposal is compared with the schedule of capacity to ascertain that it does not exceed capacity designated for the area in question. (If rights were previously granted after the baseline study, they must be taken into account in granting new rights so that capacity is not exceeded by a combination of previously-granted and proposed rights).

The schedule of capacity indicates the types of tourism a landscape character area may accommodate without exceeding the capacity of the area. The schedule sets out each area's capacity in an inclusive manner: for example, a capacity range of A-C means that the landscape character area has the capacity to accommodate all of the following:

- Tourism category A: Trail system.
- Tourism category B: One additional dwelling clustered within an existing traditional homestead or traditional farmstead.
- Tourism category C: Two additional dwellings clustered within an existing traditional homestead or traditional farmstead.

In other words, one trail system and three additional dwellings are possible for the landscape character area in this example.

The schedule of tourism categories shows a range of tourism types with increasing impact on landscape character from category A to category L.

It is noted that the tourism categories represent the following broad groups:

- Category A, a trail system, involves non-permanent overnight accommodation: for example, tents or rock shelters (that do not contain rock art).
- Categories B and C involve additional dwellings within existing settlement clusters (homesteads or farmsteads).
- Categories D to G involve tourism structures on new footprints. Unlike the following, one development type may be accommodated per *landscape character area*.
- Categories H to K are higher impact developments on new footprints. In this instance, one development type may be accommodated on the proposal's landscape character area so that it is the only such development in the proposal's *landscape character type*.
- Category L pertains to existing urban areas only.

This approach contains an inbuilt notion of management of settlement density. For example, while a tourism type from categories D to G may be accommodated per landscape character area, a higher-impact tourism type from categories H to K are accommodated on the basis on one per landscape character type, which is a larger unit of land.

As discussed, sprawl is a national concern and these draft norms and standards address the problem of sprawling tourism settlements in the countryside. For example, the most numerous tourism types of permanent structures that may be accommodated (categories B or C) are clustered developments. On the other hand, the highest impact tourism type (category K) permissible in the countryside is the small footprint (5 to 10ha), high density hill town, of which three possible locations have been found in the study area.

6.11 Use and development of land for tourism

In terms of their impact, it is also possible to group the tourism categories in relation to the kind of decision on the use and development of land for tourism.

The lowest impact categories (A, B and C) are free entry uses over and above the provisions of the scheme bylaws. However, the developer must notify the municipality of intention to develop for the monitoring purposes. Although the landscape character assessment builds in a range of concerns of affected sectors (e.g. environment, cultural heritage, and water), the norms and standards do not preclude a sector department from setting its own conditions or even refusing a proposal.

The remaining tourism categories in the countryside (D to K) may be permitted by consent, with conditions. This implies that the base zone is not changed and the integrity of resource-orientated zones (e.g. agriculture, conservation, and wetland zones) is maintained. The use of the consent procedure has a number of advantages such as these:

- Conditions of approval can, and must, be imposed (see below).
- Rezoning of rural properties from resource-related zones is prevented.
- Spontaneous spatial restructuring is not blocked because the property is not locked into a tourism zone. This implies that with the regularization of existing uses and the roll-out of schemes into rural areas, tourism zones are not used. (A parallel is found traditional rural settlements in traditional areas, which should be recorded as geo-referenced points in resource zones such as agriculture, only unless the settlement clusters are emerging towns identified in a capital investment framework).

6.12 Conditions of consent

Consent for tourism use and development is not given for a specific type of tourism but for 'tourism' as dealt with in the norms and standards. With this and other provisions, consent is fully linked to the norms and standards and hence the Provincial interest.

A distinctive and memorable landscape is a public good that calls for responsible management. This implies that the greater the potential impact of a proposal on this landscape, the greater the responsibility of the developer to protect, restore and enhance landscape character.

6.13 Incorporation into municipal integrated development plan and spatial development framework

Because the municipality is bound by its IDP/SDF, incorporation of landscape character management into these strategic documents, which include the municipal policy for land use management, is important.

As discussed, integrated planning is central to sustainable development. This implies that unless landscape character management is integrated with capital investment planning, sustainable development will remain a pipe-dream. Therefore, the draft norms and standards contain provisions such as the following that integrate landscape character management and capital investment planning:

- The landscape character areas provide the geographic reference for capital investment projects, which is shown in the spatial development framework.
- The spatial development framework has particular regard for the varying levels of accessibility across the region and the way that this relates to landscape character: for example, regionally, the principal road routes are of highest accessibility and are potentially the urban component of the region. Rural areas occur where accessibility falls off and the most inaccessible parts are the wildest. Therefore, coordination with transportation planning is critical to landscape character management.
- The map of tourism capacity shows patterns of higher and lower tourism capacity across the study area. It is therefore sensible to coordinate these patterns with appropriate levels of infrastructure: for example, a principal road route linking a string of hills towns, rural communities and Provinces; and trekking trail infrastructure for smaller tourism operators near the World Heritage Site.
- Public works programmes have a multi-purpose role that includes landscape restoration and improvement: for example, removal and management of excessive alien vegetation such as wattle as a pasture expansion programme in parts of the communal areas, which simultaneously achieves landscape objectives.

Clearly, these provisions apply to the local municipality and to the district municipality (as relevant to its functions).

6.14 Incorporation into the municipal scheme

Landscape character management policies and provisions must be carried forward in the municipal scheme. In addition, the norms and standards are formally linked to the scheme through incorporation of the specified area into the scheme.

6.15 Approval of building plans

Because certain types of tourism development do not need scheme approval, the stage of building plan approval of tourism developments is important in the management of landscape character.

6.16 Municipal record keeping

The local municipality and its record-keeping is crucial in monitoring landscape character impacts on the ground and in supporting the Provincial interest in landscape character management.

6.17 Provincial monitoring and review

A number of issues are involved here, which underpin the Provincial interest on landscape character.

Firstly, Province monitors landscape character change and sources of impact in the specified area. This includes monitoring landscape character management by organs of state and consequent impact on landscape character.

Secondly, because landscape character is a Provincial interest, Province is primarily responsible for record keeping in this regard. There are a number of aspects to this.

The first concerns the 2009 landscape character baseline. As discussed, this includes a record of tourism development at that time, against which subsequent changes in landscape character and in tourism development are measured.

The second regards monitoring of tourism development applications and notifications of free entry use, in order to determine the extent to which the tourism capacity of the area is being used up. Applications submitted are also recorded, in order to manage first come-first served applications.

The third aspect involves review of the landscape character assessment including the baseline and involves a review linked to the scheme revision; review at the request of organs of state if Province deems this to be in the public interest; or review requested by the private sector who carry the costs of the review.

In order to maintain objectivity and to remove potential perverse incentives from the decision-making system in which actual or perceived bias may arise with ad hoc appointment of consultants, Province draws upon a panel of landscape assessment professionals that have been set up to undertake reviews or, as discussed below, to make recommendations on applications that exceed capacity.

6.18 Provincial application

Because landscape character management is a Provincial interest, failure to act or comply with the norms and standards triggers the requirement for application to Province. The implication is that KZN COGTA must establish procedures for Provincial applications.

In effect, an application that exceeds tourism capacity challenges the landscape character assessment and by implication, calls for its review – again, the applicant carries the costs although Province appoints professionals to undertake the review.

An application that exceeds tourism capacity is also a potential expression of cumulative development. This means that the cumulative impacts of the application must be assessed. This involves assessing its potential impact combined with the existing or potential impacts eventuating from similar or diverse activities or undertakings in the region – precedent indicates that a 30 kilometre radius study area is appropriate for such purposes (see for example **Coates Associates, 2006**)

Finally, the onus to prove that the capacity-exceeding proposal is in the public interest lies with the applicant in the first instance. (This is a shift from the current tendency in which the organ of state is faced with the burden of defending the public interest against the developer).

6.19 General provisions

The general provisions reflect the Provincial interest in landscape character management. Regarding community involvement, the hierarchical nature of the landscape character assessment means that the assessment can be taken into fine-grain planning – landscape character assessment offers a geographic filing system that may be used to capture fine-grain interests and values of people-in-place.

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ABBREVIATIONS AND DEFINITIONS

CA and SNH	The Countryside Agency and Scottish Natural Heritage
GIS	Geographic Information System
KwaSani subregion	Jurisdictional area of 2009 KwaSani Local Municipality and adjacent areas of KZDMA43 outside the uKhahlamba-Drakensberg Park.
KZN COGTA	KwaZulu-Natal Department of Co-operative Governance and Traditional Affairs
Landscape	Human perception of the land conditioned by knowledge and identity

	with a place.
Landscape capacity	The extent to which a landscape is able to accommodate tourism development without key characteristics being adversely affected and the values attached to it being compromised.
Landscape character	A distinct, recognizable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse. Particular combinations of geology, landform, soils, vegetation, land use, field patterns and human settlement create character.
Landscape sensitivity	The extent to which the character, including the visual character, of a landscape is susceptible to change brought about by tourism development.
Landscape value	The relative value that stakeholders attach to a landscape for a variety of reasons including scenic quality, perceptual aspects such as wildness, remoteness or tranquillity that contribute to a sense of place, and the presence and influence of conservation interests or special cultural associations.
LCA	Landscape Character Area
LCT	Landscape Character Type
MEC	Member of the Executive Council
Study area	Jurisdictional area of 2009 KwaSani Local Municipality and adjacent areas of KZDMA43 outside the uKhahlamba-Drakensberg Park.
SPLUMA	Spatial Planning and Land Use Management Act, 2013
The Act	KwaZulu-Natal Planning and Development Act, 2008
WHS	Maloti-Drakensberg Transfrontier Park World Heritage Site

APPENDIX 1

DRAFT PROVINCIAL PLANNING NORMS AND STANDARDS - MAP & PROVISIONS REGARDING TOURISM CAPACITY IN RELATION TO LANDSCAPE CHARACTER IN KWASANI SUBREGION
Prepared by the KWAZULU-NATAL PLANNING & DEVELOPMENT ACT, 2008, NORMS AND STANDARDS STEERING COMMITTEE: PROTECTION & ENHANCEMENT OF THE CHARACTER OF KWAZULU-NATAL'S LANDSCAPES, 19 FEBRUARY 2018

EXECUTIVE SUMMARY

This document sets out norms and standards to regulate the impact of tourism development upon landscape character of the landscapes of a specified area in the uKhahlamba-Drakensberg region of KwaZulu-Natal.

Landscape character is identified as a Provincial interest and the KwaZulu-Natal Provincial Government is committed to ensuring that the landscape character of the specified area is protected, restored and enhanced. The goal of the norms and standards is:

To protect, restore and enhance the landscape character of the specified area by means of a system of landscape character management for that area that regulates the impact of tourism development upon landscape character.

Previously, Province undertook a landscape character assessment that related tourism capacity to the restoration, protection and enhancement of the landscape. These norms and standards direct implementation of the landscape character assessment, by means that include municipal integrated development plans and the scheme. Other departments and parastatals are also required to take account of landscape character (including visual effects) in their development plans. KwaZulu-Natal Department of Co-operative Governance and Traditional Affairs has a pivotal responsibility.

Key aspects of the norms and standards are:

- (a) A provincially consistent way of managing the impact of tourism that is simple and highly certain in application.*
- (b) Based on a consistent approach to classification and assessment of landscape character, including an inventory to identify the tourism capacity of landscape character areas.*
- (c) Co-operative management – mechanisms to coordinate a range of management tools.*
- (d) Injunctions to Provincial departments to urge that landscape character issues are taken into account.*
- (e) Point of last recourse, whereby Province can act to achieve the policy goals.*

DEFINITIONS

1. In these regulations, except if the context indicates otherwise:

The Act means KwaZulu-Natal Planning and Development Act, 2008 (Act No. 6 of 2008).

Buildings means structures, the carrying out of construction, engineering, mining or other operations on, under or over land, and a material change of any building or structure.

Cumulative impacts in relation to an activity, means the impact of an activity that in itself may not be significant but may become significant when added to the existing and potential impacts eventuating from similar or diverse activities or undertakings in the area;

Impact means the likely effects on landscape character or components due to a development proposal or change in land management. They can therefore affect the way in which the landscape is experienced. Impacts can be positive (beneficial) or negative (detrimental); and can also be cumulative.

KZN COGTA means KwaZulu-Natal Department of Co-operative Governance and Traditional Affairs.

Landscape means human perception of the land conditioned by knowledge and identity with a place.

Landscape capacity means the extent to which a landscape character type or landscape character area is able to accommodate tourism development without key characteristics being adversely affected and the values attached to it being compromised.

Landscape character means a distinct, recognizable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse.

Landscape character area (LCA) means a single unique area and is a discrete geographical area of a particular identity.

Landscape character type (LCT) means a generic type of landscape that is relatively homogeneous in character, and consists of one or more landscape character areas.

Landscape sensitivity means the extent to which the character, including the visual character, of a landscape is susceptible to change brought about by tourism development.

Landscape value means the relative value that stakeholders attach to a landscape for a variety of reasons including scenic quality, perceptual aspects such as wildness, remoteness or tranquillity that contribute to a sense of place, and the presence and influence of conservation interests or special cultural associations.

Norms and standards means statutory instruments under Chapter 11 of Act.

Regulation in relation to this task, means the implementation of statutory prescriptions (under Chapter 11 of the Act) that govern:

- The administration of planning and development in terms of the Act or successors in title;
- Linked statutory instruments; and
- The actions of KwaZulu-Natal Provincial Government, including statutory bodies.

Tourism development means “Buildings” for tourism purposes as contained in **Annexure B** or substantially similar.

INTRODUCTION

Background

2. Landscape character is fundamental to people’s existence. For example, sense of place is associated with intangible benefits in the psychological and cultural realms, while the memorable image of place underpins the resource base of rural tourism, with tangible economic benefit.
3. In the UKhahlamba-Drakensberg region, pressures of tourism development call for management of landscape character upon which it is based. Promotion of economic development in a landscape of high sensitivity is a challenge and landscape character management informs the management of change in a balanced way.

4. Moreover, preconditions for a small tourism economy are not developed. For example, planning for small tourism is not integrated into a holistic development concept and therefore infrastructure requirements for small tourism enterprises are not developed. However, landscape character management assists in identifying the regional capacity of such systems.
5. Therefore, landscape character assessment is a powerful tool for the management of tourism development in the region.

Intention

6. A landscape character assessment was undertaken by KZN COGTA for an area that approximated the 2009 KwaSani municipal area of jurisdiction and parts of the neighbouring district management area that fell outside of the Protected Area. These norms and standards intend to take forward that work in the management of tourism development.

Mandate

7. Management of landscape character is a Provincial interest and the responsibility of KwaZulu-Natal Department of Co-operative Governance and Traditional Affairs that is responsible for regional planning and must assist municipalities and Provincial Departments in implementing and monitoring landscape character management.
8. Provisions of the Act include provincial planning and development norms and standards. Accordingly, provincial planning and development norms and standards are prescribed in order to guide municipal decision-making in relation to landscape character management, with particular reference to the following section of the Act –
 - (a) 136(a) schemes;
 - (b) 136(c) certain types of land use, development, subdivision or consolidation of land;
 - (c) 136(d) the use, development, subdivision or consolidation of land within a specified area within the Province.

A POINT OF REFERENCE

Aims

9. The South African Constitution includes provisions for sustainable development, the aims of which are set out in the Local Government: Municipal Systems Act 32 of 2000:

‘development’ means sustainable development, and includes integrated social, economic, environmental, spatial, infrastructural, institutional, organizational and human resources upliftment of a community aimed at-

 - (a) *improving the quality of life of its members with specific reference to the poor and other disadvantaged sections of the community; and*
 - (b) *ensuring that development serves present and future generations.’*

Policy position

10. The following position guides an approach to the formulation of the norms and standards:
 - (a) The importance of landscape is affirmed.

- (b) Change is inevitable, but the nature, scale and pace of change is reducing quality and diversity of landscapes.
- (c) Province should and can guide processes of change in ways that improve quality of life, yet ensuring that the character, uniqueness, distinctiveness and diversity of landscapes are restored, protected and enhanced.
- (d) Local involvement is essential. However, a policy framework is required to facilitate local involvement.
- (e) Future generations are entitled to inherit and enjoy landscapes at least as rich as those which now exist. Local needs and quality of life improvements can be met in achieving this.
- (f) This implies an integrated approach to understanding of, and protection, restoration and enhancement of, the landscape as a whole as well as for specific measures related to landscapes of special significance, as a key part of sustainable development.
- (g) Local economic development must involve the use of local resources and skills to satisfy local needs.
- (h) Development plans must specifically include landscape character issues: for example, the protection of tourism potential; restoration of landscape character through land improvement programmes and *Working For Water*; landscape enhancement through rural markets and regional trekking trails; and urban design of public capital investment.
- (i) Municipalities must be assisted with implementation and utilization of landscape character assessments and evaluations, and landscape design guides.
- (j) Community involvement must be fostered in landscape management processes such as landscape character assessment, evaluation, visioning and implementation, which must be linked to planning and land use management processes.
- (k) Particular attention must be given to the urban design of rural villages, urban expansion and emerging towns through measures such as the following:
 - i. Defining categories of settlements with urban qualities through regional planning, capital investment planning and demarcation of settlement edges.
 - ii. Local visions for settlements and rural landscapes.
 - iii. Urban design considerations in rural settlement planning through means such as village design statements and architectural prototypes.
- (l) Cumulative impacts must be addressed.
- (m) Spatial integration of public capital investment must occur at the regional, municipal, site, layout, precinct and street scales.
- (n) Professional associations of Planners and related professions, and landscape managers such as traditional authorities and municipalities must be informed of landscape issues, and public awareness raised.
- (o) Administration and enforcement of planning legislation must be enhanced in landscapes of special significance through intergovernmental cooperation with national environmental protection agencies.
- (p) Landscape management of special public landscape assets such as state dams and scenic routes must be addressed.
- (q) Special landscapes of provincial significance must be demarcated and managed accordingly.
- (r) Landscape character as the resource base of rural tourism must be managed accordingly.
- (s) Training of departments and municipalities in landscape management is necessary.

- (t) This requires attention to the protection, restoration and enhancement of landscape in all relevant legislation and government policies and programmes, notably those that relate to:
 - i. Integrated development plans and spatial development frameworks, noting the need for planning and policy guidance on the subject of landscape.
 - ii. Schemes.
 - iii. Alterations and additions to infrastructure, including roads, and community facilities.
 - iv. Agriculture, including forestry, and tourism.
 - v. Education and training and provision of information at all levels.
 - vi. Resourcing provincial and local bodies concerned in such work.

Guiding principles

11. In addition to the abovementioned aims, certain principles of relevance to landscape character management are set out in law. These principles are set out in framework legislation such as the Constitution; Spatial Planning and Land Use Management Act, 2013 (Act No 16 of 2013); National Environmental Management Act, 1998, (Act No 107 of 1998); and related legislation such as the Biodiversity Policy and Strategy for South Africa: Strategy on Buffer Zones for National Parks (Government Gazette, 8 February 2012). The following are particularly pertinent to this task:
 - (a) *More equitable*, to ensure human wellbeing and ensure access by people previously disadvantaged by unfair discrimination. Allocation of tourism capacity in communally managed lands has regard for people's prior exclusion from the tourism market.
 - (b) *More generative*, to ensure a greater range of opportunities, activities and experiences are generated in relation to landscape character, tourism and related services. Capacity allocation has regard for small tourism operators.
 - (c) *More compact* and less sprawling towns and villages – sprawl which profoundly undermines landscape character.
 - (d) *More accessible* municipalities, particularly to international and local users of public transport and non-motorized transport. Landscape character assessment identifies corridors of tourism potential.
 - (e) *More local distinctiveness and strength of place*. This is central to the management of landscape character including visual effects.
 - (f) *More differentiated* municipalities, with greater diversity and range of tourism and landscape conditions regionally, i.e. across an entire municipality.
 - (g) *More co-operative approach* in landscape character management.
 - (h) *More just* administrative processes, involving administration of development that is clear, fair and reasonable.

GOAL

12. To protect, restore and enhance the landscape character of the specified area by means of a system of landscape character management for that area that regulates the impact of tourism development upon landscape character.

SPECIFIED AREA

13. The Norms and Standards apply to the area whose outer boundary is specified in **Annexure A**.

OBJECTIVES FOR THE SPECIFIED AREA

14. **Objective One:** Local government organs of state must apply a landscape character assessment of the sensitivity of landscape character types to, and capacity for, different categories of tourism development, in order to regulate the impact of tourism development upon the landscape character.
15. **Objective Two:** KZN COGTA must monitor and review landscape character management.
16. **Objective Three:** In the event of local government inaction or approval of tourism development that exceeds landscape capacity, KZN COGTA must take action in the Provincial interest.

MEASURES

17. Landscape character and visual effects are managed by regulating proposals for tourism use and development with the aid of a schedule that shows the capacity of landscape character areas for categories of tourism.

TOURISM CAPACITY

18. The following rules apply in determining whether an area can entertain a development proposal without exceeding the capacity of the area for tourism development:
 - (a) The type of a tourism development represented by the development proposal is determined: Interpretation of the tourism category of a tourism development proposal must be substantially in accordance with the table of tourism categories (**Annexure B**) and in recognition of the impact of the proposal on landscape character and visual effects.
 - (b) Tourism rights that have been granted subsequent to the baseline (including the regularization of unauthorized or unregistered development) are determined. Free entry uses for a property provided for in the scheme bylaws are ignored in this determination.
 - (c) The proposal may be supported provided that:
 - i. The type of a tourism development represented by the development proposal does not exceed the maximum capacity provided by the schedule (**Annexure C**); and
 - ii. The type of a tourism development represented by the development proposal has not previously been granted (as determined in section **18(b)** above).
19. The schedule of tourism capacity (**Annexure C**) is applied as follows:
 - (a) Tourism category A: This provides for one trail system per farm portion or traditional ward (*isigodi*).
 - (b) Tourism category B: This provides for one additional tourism dwelling clustered within an existing traditional homestead; or traditional farmstead (i.e. the farm buildings associated with the historic farm portion, which exceeds 20 hectares in size).
 - (c) Tourism category C: This provides for two additional tourism dwellings clustered within an existing traditional homestead; or traditional farmstead (i.e. the farm buildings associated with the historic farm portion, which exceeds 20 hectares in size).
 - (d) Tourism category D, E, F or G: This provides for one specified development category per defined landscape character area. Applications are dealt with on a first come-first served

basis. Applicants must ensure that their applications proceed timeously, with reasonable regard for the interests of other affected applicants.

- (e) Tourism category H, I, J or K: This provides for one specified development category per defined landscape character type. Applications are dealt with on a first come-first served basis.
- (f) Tourism category L: Subject to the scheme provisions within the urban areas of Himeville or Underberg.

USE AND DEVELOPMENT OF LAND FOR TOURISM

- 20. The following provisions are applicable for use or development of land for the following categories of tourism (**Annexure B**):
 - (a) Tourism Categories A, B and C: These are Freely Permitted uses and subject to notification of the municipality for its monitoring purposes.
 - (b) Tourism Categories D, E, F, G, H, I, J and K: These are Consent uses that may be permitted subject to conditions.
 - (c) Tourism Category L: Approval of these urban uses are subject to the urban component of the scheme i.e. the area within a defined urban edge that has been approved by KZN COGTA.
- 21. Approval for tourism use and development of any category may be subject to conditions.
- 22. These regulations do not exempt an applicant or owner from obtaining other required approvals for any tourism category.
- 23. The proposal must be compatible with the municipality's scheme policy on landscape character management.

CONDITIONS OF CONSENT

- 24. Outside of urban areas, tourism zones must not be adopted but consent may be granted.
- 25. If rights are granted by consent for the use and development of land for tourism, the following conditions, amongst others, must be specified:
 - (a) Consent is granted for "tourism as set out in the norms and standards";
 - (b) Consent is subject to the norms and standards;
 - (c) Consent is subject to the municipal policy on landscape character management;
 - (d) Consent is subject to landscape management obligations tailored to the proposal. The greater the rights granted, the more onerous are the obligations regarding the protection, restoration and enhancement of landscape character including visual character.

INCORPORATION INTO THE MUNICIPAL INTEGRATED DEVELOPMENT PLAN AND SPATIAL DEVELOPMENT FRAMEWORK

- 26. The municipality must adopt a policy on landscape character management.
- 27. The municipality must include a landscape character vision for the specified area, to which all municipal business units must comply.

28. The landscape character areas must be used as geographic references for the capital investment framework.
29. The schedule (**Annexure C**) and map of tourism capacity must inform the formulation of the capital investment framework including transportation planning.
30. The schedule (**Annexure C**) and map of tourism capacity must be included in the land use management guidelines.
31. The municipality must adopt policy to be included in the scheme, which defines obligations associated with tourism development rights. The greater the rights granted, the more onerous the obligations regarding the protection, restoration and enhancement of landscape character including visual character.

INCORPORATION INTO THE MUNICIPAL SCHEME

32. The specified area, stated to be subject to these regulations, must be indicated on the scheme map(s).
33. While recognizing the Provincial interest in landscape character management, the municipality must adopt policy to be included in the scheme regarding the regularization of existing uses that impact upon landscape character.

APPROVAL OF BUILDING PLANS

34. Building plan approvals for tourism development (and associated infrastructure) are conditional upon compliance with the provisions regarding tourism capacity.

MUNICIPAL RECORD KEEPING

35. The municipality must keep a public record of notifications of free-entry uses and of applications received, granted and refused of all categories of tourism use and development, including formal recognition of existing uses.
36. KZN COGTA must be notified by the municipality with five working days of its notification of free-entry use or municipal decision on tourism applications.

PROVINCIAL MONITORING AND REVIEW

37. KZN COGTA must monitor the specified area regarding:
 - (a) Landscape character change;
 - (b) Landscape character management by local government;
 - (c) Landscape management of sector departments and parastatals.
38. KZN COGTA must keep a public record of the landscape character baseline, and adjustments thereof, of the specified area as well as changes in landscape character of the specified area. The information must be held in hardcopy and electronic format, including geographic information systems in accordance with the Spatial Data Infrastructure Act, 2003.

39. KZN COGTA must monitor applications for the change of use or development of land for tourism in the specified area. KZN COGTA must identify applications that exceed the landscape capacity and accordingly call for a Provincial application (**section 44** below).
40. KZN COGTA must keep an up-to-date public record of notifications of free-entry uses and of applications received, granted and refused of all categories of tourism use and development, including formal recognition of existing uses, in the specified area. The information must be held in hardcopy and electronic format, including geographic information systems in accordance with the Spatial Data Infrastructure Act, 2003.
41. KZN COGTA must review, and amend as necessary, the landscape character assessment of the specified area in accordance with the Spatial Data Infrastructure Act, 2003. The review must coincide with the scheme revision or at any other time as necessary in the public interest.
42. Local government organs of state may request KZN COGTA to review the landscape character assessment of the specified area as necessary in the public interest.
43. Private or non-governmental parties may request KZN COGTA to review the landscape character assessment of the specified area, in which case the costs of the review must be paid on request to KZN COGTA who will appoint independent professionals with specialization in landscape character assessment to undertake the work.

PROVINCIAL APPLICATION

44. In the event of local government failure to act, or failure to comply, in terms of these regulations on applications for changes of use, development of land or building applications for tourism, KZN COGTA must call for an application to Province.
45. The fee for the Provincial application referred to in **section 44** above must include costs of review of the landscape character assessment of an area with a radius of 30 kilometres from the centre of the proposed development, in which case the costs of the review must be paid on application to KZN COGTA who will appoint independent professionals with specialization in landscape character assessment to undertake the work.
46. KZN COGTA must require all potential developers seeking developmental rights outside of the formal urban areas to undertake analysis to prove that their proposal is in accordance with these regulations and to demonstrate the public benefits of the proposal. If these cannot be shown, new rights must not be granted.

GENERAL PROVISIONS

47. KZN COGTA must:
 - (a) Undertake and promote landscape character assessments.
 - (b) Require all local authorities to implement landscape character management, in order to determine where categories of tourism development should and should not go within their areas of jurisdiction.

- (c) Assist municipalities with implementation and utilization of landscape character assessments and evaluations, and landscape design guides.
 - (d) Foster community involvement in landscape management processes such as landscape character assessment, evaluation, visioning (e.g. local visions for settlements and rural landscapes) and implementation.
 - (e) Ensure that administration and enforcement of planning legislation is enhanced in designated landscapes of special landscape value through intergovernmental cooperation with national environmental protection agencies.
48. National, Provincial and district and local municipal development plans, policies and development management shall seek to protect and enhance landscape character. Development plans of municipalities, sector departments and parastatals must specifically include landscape character issues.

LEGAL EFFECT

49. Municipalities, Appeal bodies and any other organ of state on which the power has been conferred to approve integrated development plans or to consider applications for building plans, the amendment of schemes, the subdivision and consolidation of land, the development of land outside the area of a scheme, the phasing or cancellation of an approved layout or the alteration, suspension or deletion of restrictions relating to land must make decisions in conformity with provincial norms and standards.
50. Provincial organs of state are bound by the norms and standards.

STRINGENCY

51. More stringent norms and standards may be applied to the specified area.

RELATED NORMS AND STANDARDS

52. There are no related Provincial norms and standards.

DOCUMENTS AND MATERIALS

53. The following documents or materials may assist in the interpretation of the norms and standards:
- (a) Kiepiel, J.Z. and Escott, B.J. 2017. *Landscape Character Assessment: KwaSani Subregion*. KwaZulu-Natal Department of Co-operative Governance and Traditional Affairs commissioned study.

ADOPTION AND AMENDMENT DATES

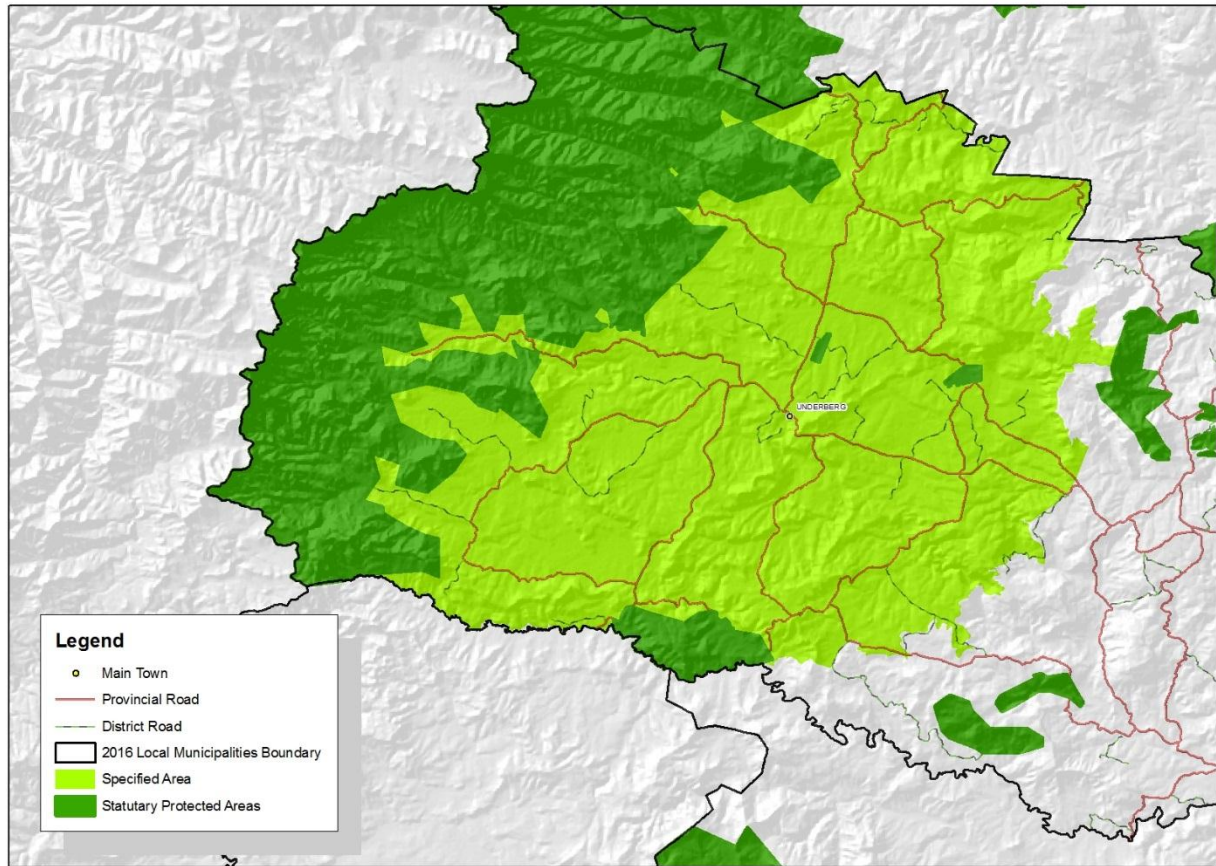
54. (To be inserted.....)

PUBLIC ACCESS TO THE NORMS AND STANDARDS

55. List of places where copies thereof must be available to the public:
(To be specified (electronic and hard copy).....)

ANNEXURE A: OUTER BOUNDARY OF THE SPECIFIED AREA

The outer boundary of the specified area map reference (KZN COGTA.....) is available



in GIS format.

ANNEXURE B: TABLE OF TOURISM CATEGORIES

TOURISM CATEGORY	EXAMPLE	FRAGMENTED OWNERSHIP	HEIGHT CHANGE	MASS or bulk	TRAFFIC CHANGE	LAND USE CHANGE	INFRA-STRUCTURE CHANGE	FOOTPRINT CHANGE	STRUCTURES
A. Trail-related impermanent structures.	<ul style="list-style-type: none"> Hiking trail. Small rustic camp sites with access on foot only. No permanent structures. 								Temporary structures (tents).
B. Homestead/farmstead accommodation – additional dwelling.	<ul style="list-style-type: none"> Existing farm or umuzi accommodation. Additional dwelling within existing farmstead or umuzi envelope. ('Granny flat'). 								Permanent structures.
C. Farmstead/homestead expansion within existing envelope.	<ul style="list-style-type: none"> Additional 2 dwellings within existing farmstead or umuzi envelope. 								
DISTURBED FOOTPRINT:									
D. Supplementary tourism without new roads	<ul style="list-style-type: none"> Hiking hut on trail. Single fishing cottage. 								
E. Supplementary tourism with new roads	<ul style="list-style-type: none"> Small campsite with ablution block and lapha. Single-building B & B up to 5 bedrooms. 10 people. 						New roads		
F. Small tourism.	<ul style="list-style-type: none"> Backpackers hostel. Community tourism centre (e.g. Mweni). Country house, guest farm. One cluster of up to 10 units. 40 people. 								
G. Reserves and game farms	<ul style="list-style-type: none"> Game farms and eco-tourism, private game reserve - Up to 10 units or 60 beds. 60 people. 								
H. Retail outlets	<ul style="list-style-type: none"> Restaurants, arts and crafts markets, shops and workshops. 								
I. Medium tourism	<ul style="list-style-type: none"> 11-30 units Hotel over 60 beds. Camping and caravan park. 120 people. 								
J. Large tourism	<ul style="list-style-type: none"> 31 – 50 units Large resort development & large facilities e.g. golf course. Time-share. 200 people. 								
FRAGMENTED OWNERSHIP: URBAN, SUBDIVISION, SECTIONAL TITLE, SHAREBLOCK:									
K. Hill towns	<ul style="list-style-type: none"> 10ha high density 3 story pedestrian – 500 units. 								
L. Suburban.	<ul style="list-style-type: none"> Gated estates, residential estates. Themed estates – golf-, equestrian-, eco-estates or retirement. New towns, theme parks, casinos. 								

Note: Impact upon landscape character increases from Tourism Category A to Tourism Category L.

ANNEXURE C: SCHEDULE OF TOURISM CAPACITY

A map (*KZN COGTA N&S DRAFT 19 FEBRUARY 2018*) of the tourism capacity of the landscape character types and landscape character areas of the specified area is available in GIS format.

LCT	LCA	CAPACITY	LCT	LCA	CAPACITY	LCT	LCA	CAPACITY
1	280	A-C	8	208	A	15	301	A-C
1	281	A-C	8	240	A	15	336	A
1	286	A-B	8	370	A-C	15	380	A-C
1	287	A-B	8	411	A	15	381	A
1	528	A-C	8	586	A	15	412	A-C
2	256	A	9	363	A	15	466	A-C
2	636	A	9	364	A-C	15	489	A
2	638	A	9	365	A	15	532	A-C
3	257	A-H	9	366	A-C	15	541	A
3	478	A-H	9	372	A-C	15	571	A-L
3	479	A-H	9	525	A	15	572	A-C
4	25	A-C	9	526	A-C	15	573	A
4	261	A	10	250	A	15	582	A-C
4	295	A	10	359	A-C	15	650	A-C
4	634	A-C	10	360	A	16	123	A
4	635	A-C	10	361	A	16	124	A-F
5	258	A-D	10	529	A	16	127	A-C
5	259	A-D	11	273	A-C	16	131	A
5	262	A	11	274	A-E	16	132	A
5	272	A-D	11	275	A-E	16	134	A
5	344	A-D	11	276	A-C	16	135	A-D
5	552	A	11	277	A	16	136	A
5	553	A	11	278	A	16	137	A-C
5	655	A-D	11	285	A	16	138	A
6	15	A	11	321	A-C	16	139	A-C
6	16	A	12	248	A-C	16	140	A
6	254	A-J	12	249	A-C	16	204	A
6	255	A-J	12	302	A-C	16	205	A
6	308	A-K	12	317	A-C	16	206	A
6	309	A-H	12	318	A-C	16	207	A-C
6	310	A-H	12	319	A-C	16	329	A-C
6	315	A	12	322	A-C	16	333	A-C
6	316	A-H	12	335	A-C	16	376	A-C
6	345	A-K	12	534	A-C	16	377	A
6	465	A	13	304	A-E	16	401	A
6	535	A	13	305	A-C	16	402	A
6	554	A-H	13	320	A-C	16	403	A
6	555	A-H	14	298	A-C	16	404	A
6	556	A	14	303	A-C	16	405	A
6	260	A-K	14	306	A-C	16	414	A-F
7	263	A-C	14	368	A-C	16	483	A-C
7	279	A-D	14	369	A	16	530	A
7	307	A	14	544	A-C	16	644	A
7	367	A-C	14	581	A-C	17	65	A-E
7	371	A	14	583	A-C	17	66	A-E
8	27	A	14	584	A	17	67	A-E
8	59	A	15	58	A-L	17	68	A-E
8	60	A	15	299	A-C	17	69	A-E
8	70	A	15	300	A-C	17	71	A-E

LCT	LCA	CAPACITY	LCT	LCA	CAPACITY	LCT	LCA	CAPACITY
17	72	A-E	20	325	A	26	169	A-G
17	78	A-C	20	326	A	26	170	A-C
17	125	A-F	20	327	A-D	26	175	A-C
17	126	A-F	20	328	A	26	194	A-C
17	128	A-F	20	334	A	26	220	A-H
17	133	A-F	20	378	A	26	222	A
17	141	A-E	20	379	A	26	223	A-G
17	142	A-E	20	531	A	26	231	A
17	143	A-F	21	500	A	26	385	A-C
17	144	A-F	21	504	A	26	386	A-C
17	407	A-E	21	507	A-C	26	387	A-D
17	487	A-C	21	521	A	26	389	A-C
17	569	A-E	21	524	A	26	390	A-G
17	570	A-E	22	8	A	26	391	A-G
17	594	A-C	22	10	A	26	392	A-G
17	596	A-C	22	46	A-I	26	395	A-C
18	37	A	22	490	A-I	26	396	A-C
18	92	A	22	491	A	26	397	A
18	93	A-F	22	492	A	26	428	A-H
18	95	A	22	493	A-G	26	430	A-G
18	96	A	22	494	A-G	26	467	A-D
18	97	A-C	22	495	A	26	473	A-D
18	98	A	22	496	A	26	565	A-C
18	99	A	22	497	A	26	610	A-C
18	100	A	22	506	A	26	611	A-G
18	101	A	22	508	A	26	614	A-G
18	102	A-C	22	540	A-I	26	616	A-C
18	111	A	22	574	A	27	50	A-G
18	130	A	22	589	A	27	51	A
18	400	A-B	22	648	A	27	52	A
18	406	A	23	451	A-K	27	53	A-C
18	484	A	24	55	A	27	54	A
18	485	A-C	24	239	A-G	27	238	A
18	486	A	24	296	A	27	498	A-G
18	488	A-C	24	373	A	27	499	A-C
18	590	A	24	409	A	27	536	A-G
18	649	A	24	410	A	28	1	A-F
19	94	A-D	24	471	A-D	28	5	A-C
19	145	A	24	476	A	28	6	A-C
19	203	A	24	585	A	28	28	A-C
19	452	A	24	641	A-F	28	29	A-C
19	454	A-D	25	533	A-D	28	56	A-C
19	455	A-C	25	576	A	28	61	A-C
19	456	A	25	577	A	28	62	A
19	459	A-D	25	578	A	28	234	A-C
19	547	A-D	25	579	A-D	28	235	A-C
19	624	A-H	25	580	A-C	28	236	A-C
20	323	A-D	26	115	A-C	28	237	A-F
20	324	A-D	26	164	A	28	515	A-E

LCT	LCA	CAPACITY	LCT	LCA	CAPACITY	LCT	LCA	CAPACITY
28	519	A-C	31	151	A	32	121	A
28	520	A-F	31	209	A	32	122	A
28	522	A-H	31	210	A	32	156	A
28	523	A-C	31	211	A	32	157	A
28	566	A-C	31	212	A	32	158	A
28	567	A-E	31	213	A	32	159	A
28	568	A-C	31	214	A	32	161	A
28	587	A	31	224	A	32	162	A
28	588	A-C	31	225	A	32	163	A
29	47	A	31	226	A-C	32	165	A
29	48	A-E	31	233	A	32	166	A
29	49	A-G	31	408	A	32	167	A
29	63	A-G	31	450	A	32	168	A
29	64	A-G	31	457	A	32	171	A
29	501	A	31	460	A	32	172	A
29	502	A	31	461	A	32	173	A
29	503	A	31	510	A	32	174	A
29	505	A	31	512	A	32	176	A
29	509	A-H	31	513	A-C	32	177	A
29	511	A	31	517	A	32	178	A
29	514	A-J	31	518	A	32	179	A
29	516	A	31	539	A	32	180	A
29	646	A	32	2	A	32	181	A
30	85	A	32	3	A	32	182	A
30	86	A-D	32	4	A	32	183	A
30	87	A-D	32	11	A	32	184	A
30	88	A	32	12	A	32	185	A
30	89	A-D	32	13	A	32	186	A
30	90	A	32	14	A	32	187	A
30	91	A	32	22	A	32	188	A
30	453	A	32	23	A	32	189	A
30	458	A	32	24	A	32	190	A
30	462	A-D	32	30	A	32	191	A
30	475	A-C	32	31	A	32	192	A
31	42	A	32	32	A	32	193	A
31	43	A	32	33	A	32	195	A
31	44	A	32	34	A	32	196	A
31	73	A	32	38	A	32	197	A
31	74	A	32	39	A	32	198	A
31	75	A	32	40	A	32	199	A
31	76	A	32	110	A	32	200	A
31	77	A	32	112	A	32	201	A
31	79	A	32	113	A	32	202	A
31	80	A	32	114	A	32	218	A
31	81	A	32	116	A	32	219	A
31	82	A	32	117	A	32	221	A
31	83	A	32	118	A	32	232	A
31	84	A	32	119	A	32	241	A
31	150	A	32	120	A	32	242	A

LCT	LCA	CAPACITY	LCT	LCA	CAPACITY	LCT	LCA	CAPACITY
32	243	A	32	382	A	33	153	A-C
32	244	A-C	32	383	A	33	154	A-C
32	245	A	32	384	A	33	155	A-C
32	246	A	32	388	A	33	160	A-C
32	247	A	32	394	A	33	424	A-C
32	251	A	32	399	A	33	425	A-G
32	252	A	32	415	A	33	426	A-G
32	253	A	32	429	A	33	427	A-C
32	264	A	32	433	A	33	431	A-C
32	265	A	32	464	A	33	432	A-C
32	266	A	32	472	A	33	434	A-C
32	267	A-C	32	477	A	33	435	A-C
32	268	A	32	480	A	33	436	A-G
32	269	A	32	481	A	33	437	A-G
32	270	A	32	527	A	33	438	A-C
32	282	A	32	545	A	33	469	A-C
32	283	A	32	546	A	34	35	A
32	284	A	32	549	A	34	36	A
32	288	A	32	550	A	34	103	A
32	289	A	32	551	A	34	104	A-C
32	290	A	32	557	A	34	105	A-C
32	291	A	32	558	A	34	106	A
32	292	A	32	559	A	34	107	A
32	293	A	32	560	A	34	108	A-C
32	294	A	32	561	A	34	109	A
32	330	A	32	562	A-G	34	152	A
32	331	A	32	563	A	34	229	A
32	332	A	32	564	A	34	230	A
32	337	A	32	591	A	34	398	A
32	338	A	32	592	A	34	416	A
32	339	A	32	597	A	34	417	A
32	340	A	32	598	A	34	418	A
32	341	A	32	600	A	34	419	A
32	342	A	32	601	A	34	420	A
32	343	A	32	625	A	34	421	A-C
32	348	A	32	626	A	34	422	A-C
32	349	A	32	627	A	34	423	A
32	350	A	32	628	A	34	441	A
32	351	A	32	629	A	34	442	A-K
32	352	A	32	630	A	34	548	A
32	353	A	32	631	A	34	599	A-C
32	354	A	32	632	A	34	602	A-C
32	355	A	32	633	A	34	603	A
32	356	A	32	637	A	34	604	A
32	357	A	32	639	A	34	605	A
32	358	A	32	651	A	34	606	A
32	362	A	32	652	A	34	607	A
32	374	A	32	653	A	34	609	A
32	375	A	32	654	A	34	612	A-C

LCT	LCA	CAPACITY	LCT	LCA	CAPACITY	LCT	LCA	CAPACITY
34	615	A-C	36	620	A-G	37	413	A-D
34	617	A	37	7	A	37	537	A
34	643	A-C	37	9	A	37	538	A-D
35	228	A-C	37	17	A	37	542	A-C
35	393	A	37	18	A	37	575	A
35	642	A	37	19	A	37	613	A-D
36	147	A-C	37	20	A	37	640	A-D
36	148	A-C	37	21	A	37	645	A-G
36	149	A-G	37	26	A	37	647	A-G
36	215	A	37	41	A-D	38	129	A
36	444	A	37	45	A-F	38	227	A
36	445	A-C	37	57	A-D	38	593	A
36	446	A	37	271	A-C	38	595	A
36	447	A	37	297	A-D	40	146	A
36	448	A-C	37	311	A	40	443	A-C
36	449	A	37	312	A-C	40	618	A-G
36	463	A	37	313	A-C	40	619	A-H
36	482	A-H	37	314	A-C	40	621	A-G
36	543	A	37	346	A-C	40	622	A
36	608	A-H	37	347	A-C	40	623	A-G