

## Introducing Magaliesberg Biosphere Zones – A reference to guidelines for developments in the Magaliesberg Biosphere and the Magaliesberg Protected Environment.



### Background

The Magaliesberg Biosphere was designated under the Man and Biosphere Programme (MAB), by the United Nations Educational, Scientific and Cultural Organization (UNESCO), on 9 June 2015. The Biosphere is endorsed by the Department of Environmental Affairs (DEA), North West Department of Rural, Environment and Agricultural Development (READ), Gauteng Department of Agriculture and Rural Development (GDARD) and the district and local municipalities in which the biosphere falls. The elected directors of the Magaliesberg Biosphere Non Profit Company are committed to providing strategies for direction and promotion of the sustainable development and utilization of the Magaliesberg Biosphere, on behalf of stakeholders in the area.

### Sustainable Vision and desired State of the Magaliesberg Biosphere

In accordance with UNSECO MAB principles, and in line with The National Strategy for Sustainable Development in South Africa, the desired state of the Magaliesberg Biosphere is to meet the material needs and aspirations of people through wise and sustainable use of its resources. The need for development, particularly in the face of high levels of unemployment and poverty, cannot be ignored. The biosphere zonation system combines a core protected area with buffer and transition zones where sustainable development is promoted.

This zonation system provides a mechanism for development to be correctly planned and managed, to ensure that it takes place in appropriate locations and in an ecologically sensitive manner, thereby allowing for both conservation and sustainable development goals to be met.

### The Magaliesberg Biosphere / Magaliesberg Protected Environment Context

The Magaliesberg Protected Environment (MPE) and the Cradle of Humankind (COH) are the legally protected areas of the Magaliesberg Biosphere. They are gazetted and regulated under the National Environmental Management Protected Areas Act, and each is guided by their own Environmental Management Framework and Plan. (MPE EMF 2007; Cradle EMF embedded in the Gauteng EMF 2015).

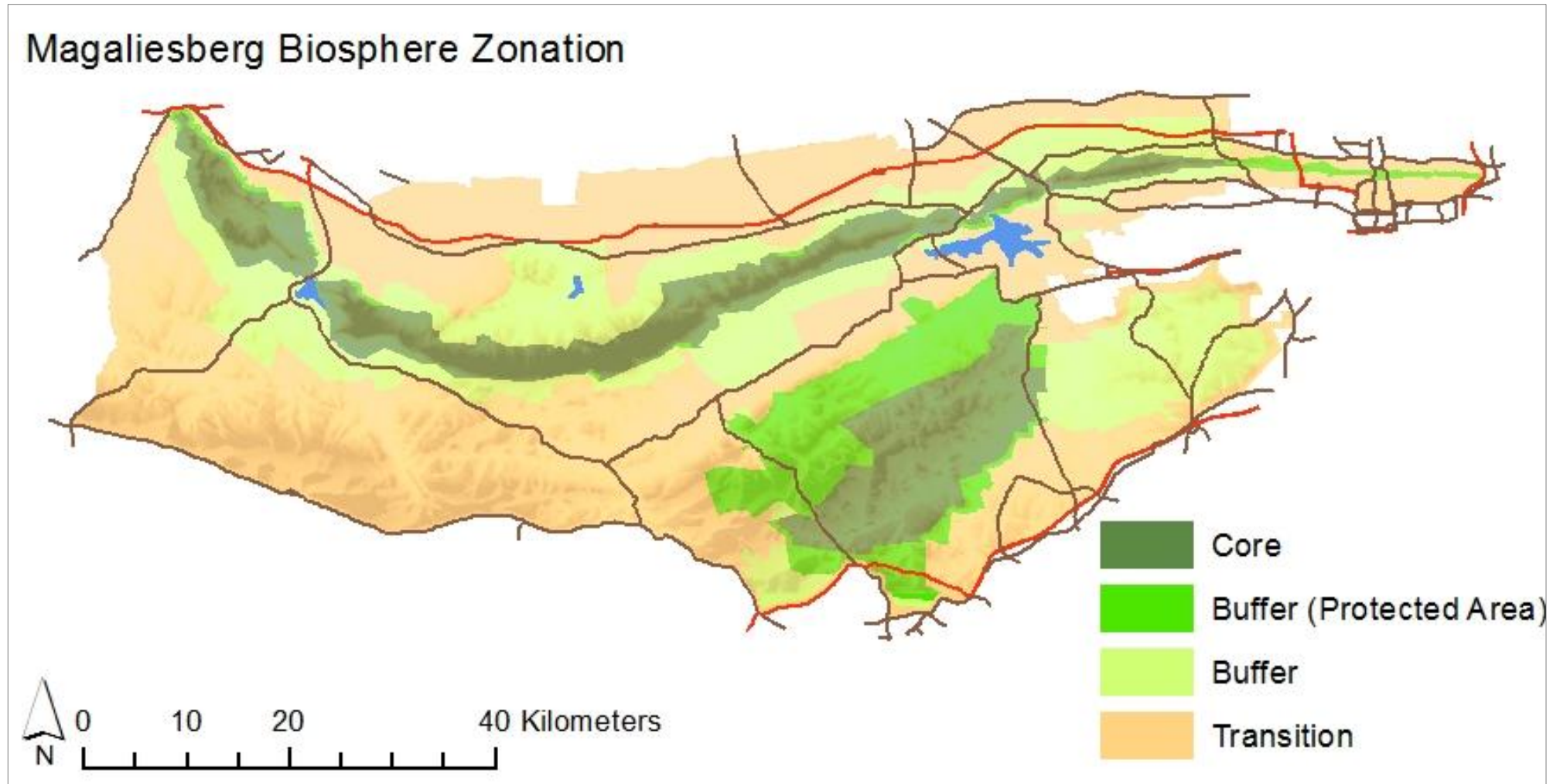
These Protected Areas have their own buffer boundaries, as prescribed in the Act.

The COH and MPE largely correspond to the Core Zone of the Magaliesberg Biosphere. However, some portions fall within the Biosphere Buffer Zone.

Therefore, for both these zones, the Biosphere Management Plan should be read with the existing Protected Area's Environmental Frameworks and Management Plans. In addition, land-use within the Biosphere Buffer and Transition Zones, and Protected Area Buffer are also guided by these documents.

## Purpose of this document

This document contains excerpts of information for quick reference contained in the Magaliesberg Biosphere Management Plan and Magaliesberg Protected Environment EMP that relates to land use parameters in the MPE and Biosphere zones and ideas to integrate these guidelines and parameters into spatial planning instruments and the EIA process.



## MAGALIESBERG BIOSPHERE MANAGEMENT PLAN

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### 3.2 BIOSPHERE ZONATION

#### 3.2.1 DESIRED STATE

The zonation of the Magaliesberg Biosphere is based upon the evaluation of the following criteria:

- ▣ **Status of the Environment** - pristine ecosystems on the one end of the scale and major transformation and disturbance on the other end.
- ▣ **Conservation Priorities** - areas already under formal conservation protection, areas of high conservation value including priority or threatened terrestrial and aquatic ecosystems or heritage sites; and
- ▣ **Development Pressures** – areas already highly transformed or disturbed or likely to be under severe development pressure and areas that may have a direct negative impact on the Magaliesberg area.

#### 3.2.5 CORE AREA

##### 3.2.5.1 DEFINITION AND DESCRIPTION

These are securely protected sites for conserving biological diversity, monitoring minimally disturbed ecosystems, and undertaking non-destructive research and other low-impact uses (such as environmental education and low impact nature based eco-tourism).

Core areas are legally constituted areas used primarily for conserving biodiversity. Although these areas do not have to be formally protected, they should be formally devoted to long term protection.

World heritage sites, nature reserves and national parks naturally fall within this category, but so can privately owned land that has been placed under strict conservation management in a stewardship programme or other formal agreement. The Protected Areas Act could also provide formal protection on private land.

Core areas must be sufficiently large.

##### 3.2.5.2 LAND USE

Conservation is the priority land use in this zone and should be promoted in every instance. Limited use for research, environmental education and low impact nature based eco-tourism will be permitted.

##### 3.2.5.3 ENDORSEMENT

Endorsement is through acquiring formal protection under the Protected Areas Act or entering into a formal conservation agreement with adjoining land owners and/or conservation agency recognised by the Magaliesberg Biosphere.

**3.2.5.4 CONTROL** Land use will be controlled through a management plan as required by the Protected Areas Act, by a formal management plan acceptable to the Magaliesberg Biosphere or by other relevant bioregional plans. The guidelines in the MPE EMF Plan in conjunction with a set of evaluation guidelines (see

**Annexure 1)** will be used as the relevant guideline for all future land included into the Core Area. The primary land uses are conservation, research, education and limited nature-based ecotourism activities.

### **3.2.6 BUFFER ZONE**

#### **3.2.6.1 DEFINITION AND DESCRIPTION**

Buffer zones are areas which usually surround or adjoin the core areas, and are used for cooperative activities compatible with sound ecological practices, including environmental education, recreation, ecotourism, and applied and basic research.

Buffer zones are predominantly natural or near natural areas and ecologically sensitive areas with clearly defined boundaries and formal administrative status.

#### **3.2.6.2 LAND USE**

Activities involve conservation and maintenance of ecosystems, nature based recreation, eco-tourism, primary dwellings, new developments and small resorts coupled to conservation areas that are compliant with the Environmental Impact Assessment regulations.

These areas can not necessarily rely on conservation focused rules and regulations for protection, as the majority of these areas will not enjoy formal legal protection.

Only activities compatible with the conservation objectives of the MB should occur within the Buffer Zone. Thus, the buffer zone is where the impact of a well-developed spatial development framework with attendant development guidelines will be the greatest.

#### **3.2.6.3 ENDORSEMENT**

Endorsement is through signing a formal endorsement form. Land owners falling in an area that is predominantly Buffer Zone that do not formally endorse the MB will automatically become part of the Transition Area.

#### **3.2.6.4 CONTROL**

Developments and land use within the Buffer Zone will be controlled through development and land use guidelines incorporated into local government land use management instruments, such as Environmental Management Frameworks and Spatial Development Frameworks.

### **3.2.7 TRANSITION AREA**

#### **3.2.7.1 DEFINITION AND DESCRIPTION**

Transition Areas are flexible transition areas or areas of co-operation, which may contain a variety of agricultural activities, settlements and other uses and in which local communities, management agencies, scientists, non-governmental organizations, cultural groups, economic interests and other stakeholders work together to manage and sustainably develop the area's resources.

#### **3.2.7.2 LAND USE**

The land use within the Transition Zone will allow for game ranching, cattle grazing, pastures, eco-tourism developments, higher level tourism developments, cultivated lands, irrigation, orchards, agro-industries, human settlements, support services and infrastructure, mining and industrial development. Emphasis will be placed on entering into collaboration with communities and industries to wisely develop, cooperatively management and sustainably utilise the larger area to ensure the protection of the natural and heritage resources of the Magaliesberg.

This area will be the focus for collaborative effort for environmental education, public awareness and specialist training activities; with the aim to reduce impact on the Magaliesberg and to enhance the benefits to communities.

### **3.2.7.3 ENDORSEMENT**

Endorsement is through collaborative agreements and letters of endorsement.

### **3.2.7.4 CONTROL**

Land use will be controlled through normal legislation and through collaboration agreements.

## **3.3 SPATIAL DEVELOPMENT FRAMEWORK AND DEVELOPMENT GUIDELINES**

### **3.3.2 DESIRED STATE**

The desired state for the Magaliesberg Biosphere is:

- ☑ That the spatial plans and regulations at all spheres of government incorporate and support the role of the Magaliesberg Biosphere in conservation and eco-tourism;
- ☑ That the eco-tourism value of individual landowners' properties is underpinned and enhanced through the protection of the Magaliesberg Biosphere's natural attributes, while enabling a broad range of tourism activities across the distinctive biosphere zones;
- ☑ That the environmental, heritage, conservation areas, biodiversity hotspots and ecologically sensitive areas be protected and managed through appropriate spatial and land use development tools to ensure that the natural integrity is retained and that these areas are not adversely affected by other activities;
- ☑ That all provincial and local municipal spatial development frameworks and land use management schemes include and reflect the Magaliesberg Biosphere and its zones;
- ☑ That a standard set of development guidelines be developed at provincial level (provincial regulations), which should be applicable for land use management and protection of the Magaliesberg Biosphere at a local level, and include legal mechanisms which should be used in support of the Magaliesberg Biosphere.

### **3.3.3 OBJECTIVES**

The objectives of the spatial development framework and management plan for the Magaliesberg Biosphere are:

- ☑ The protection and management of the Magaliesberg Biosphere;
- ☑ The promulgation of provincial regulations for the Magaliesberg Biosphere; and
- ☑ The inclusion of the Magaliesberg Biosphere zones (core, buffer and transitional zones) into provincial and local municipal spatial development frameworks and land use management schemes to provide the necessary protection guidelines, tools and mechanisms.

### **3.3.4 STRATEGIES**

The strategies proposed to achieve the desired state include:

- ☑ The promulgation of provincial regulations for the Magaliesberg Biosphere; and
- ☑ Incorporation of the regulations into provincial, district and local municipality land use management tools, including spatial development frameworks and land use management schemes

☐ Identification, interaction and cooperative agreements with sectoral departments that operate in terms of parallel laws that could impact on the Magaliesberg Biosphere.

### **3.3.4.1 PROVINCIAL REGULATIONS FOR THE MAGALIESBERG BIOSPHERE**

Various options exist:

- ☐ Under Section 23 of the Environment Conservation Act 73 of 1989 (ECA), the provinces may declare the Magaliesberg Biosphere a limited development area,
- ☐ Section 24 of National Environmental Management Act 107 of 1998 (NEMA) provides the provinces with the ability to promulgate regulations in terms of which specified activities may require impact assessments and authorization from the Member of the Executive Council (MEC) responsible for environmental matters.
- ☐ Sections 2 and 3 of the Mountain Catchment Areas Act, No 63 of 1970, to declare ridges and areas in the Magaliesberg Biosphere mountain catchment areas and to prepare and promulgate regulations in this regard.
- ☐ Section 28 of the National Heritage Resources Act, No 69 of 1999, provides for a designation of Protected Areas.
- ☐ Chapter 3 of National Environmental Management: Protected Areas Act, 57 of 2003

If the above are not adequate to suit the protection requirements of the Magaliesberg Biosphere, it may be necessary to draft specific provincial regulations for the Magaliesberg Biosphere.

Until such time that the North West and Gauteng provinces have promulgated new provincial land use planning legislation, the primary forward planning tool is the municipal spatial development framework in terms of the Municipal Systems Act, 32 of 2000 (MSA), with the main regulatory component the Town Planning and Township Ordinance 15 of 1986 and the Development Facilitation Act, 67 of 1995 (DFA) that apply to both provinces. It should be noted that there are a number of other planning and related laws that are used to regulate land uses and subdivision in both provinces.

### **3.3.4.2 DISTRICT AND LOCAL MUNICIPAL LAND USE PLANNING AND MANAGEMENT**

District municipalities are responsible only for integrated development planning for their districts, which includes the preparation and adoption of spatial development frameworks in terms of the MSA, 2000.

The MSA, 2000, also permits the relevant MEC to authorize district municipalities to undertake municipal planning in the case of capacity problems municipalities.

At district and municipal level, the development guidelines for the core, the buffer and the transitional zones should be incorporated in the district and local municipal spatial development frameworks.

At municipal level the land use definitions and regulations pertaining to each zone should be incorporated into the land use management schemes (which may have to be extended to include the affected portion of the MAGALIESBERG BIOSPHERE within each local municipal area.)

The above will take some time to implement, and as an interim measure affected district and local municipalities should be approached to take the Magaliesberg Biosphere policy into account in decision making in the area.

### **3.3.5 DEVELOPMENT AND LAND USE GUIDELINES**

The development guidelines are aimed at protecting the special attributes of the Magaliesberg Biosphere and its landscape, and have been set with eco-tourism principles in mind.

The intention is to promote conditions to protect the integrity of the Magaliesberg Biosphere in respect of the conservation of existing ecosystems and biodiversity, the diversity of fauna and flora, the visual appearance, the context of core zone, and the limitation of potentially adverse impacts of human development on the Biosphere.

The development guidelines for each of the Magaliesberg Biosphere zones are summarised in the Table below. It is proposed that any development and land use application will be assessed against these guidelines by the relevant land use authority and the Management Board of the Magaliesberg Biosphere before such rights are granted. A comprehensive description of the land use definitions and the detailed guidelines will be available on the website.

**Table 3.1: Summarised Development Guidelines for Magaliesberg Biosphere**

	CORE AREA	BUFFER ZONE	FLEXIBLE TRANSITION AREA
<b>DEFINITION</b>	Comprises formally protected areas and areas seeking formal protection within the Magaliesberg Biosphere, also areas designated as National Parks, Nature Reserves, World Heritage Sites, or the like.	Comprises of relatively undisturbed areas of the Magaliesberg Biosphere that are worthy of protection due to their generally high natural, visual and cultural quality and/or sensitivity and that underpin the core natural and cultural resource base of the Magaliesberg Biosphere.	Areas of co-operation within the Magaliesberg Biosphere, where most people reside and where there is significant and diverse economic activity.
<b>OBJECTIVE</b>	Conserve the landscape, biodiversity and cultural history of the Magaliesberg Biosphere -promote the use of these resources in a sustainable way.	Aimed at supporting the environmental integrity of the Core Area, but would allow a wider range of environmentally sensitive land uses and activities which are environmentally, socially and economically sustainable. Endorsement of Magaliesberg Biosphere by land owners.	The intention in these Areas is that stakeholders work together to manage and develop the area's resources in a sustainable and environmentally friendly way, with due recognition of the Magaliesberg Biosphere.
<b>LAND USE/ DESIRABLE ACTIVITIES</b>	Conservation, research, extensive agriculture and ecotourism activities (see below). No prescribed list.	Rather than prescribe a list it is proposed that any land use/activity within the general ambit of the above be assessed by the Management Authority/Board utilising a set of evaluation criteria (see below) to evaluate a list of potential impacting issues (see below).	SDFs that affect the Magaliesberg Biosphere address the sensitivities of the interface between the defined Core and the Buffer Areas and the Transition Areas, consideration should be given to compatibility of uses within Magaliesberg Biosphere objectives.
<b>Mechanisms</b>	Consolidation of land holdings/cooperative arrangements between owners and/or custodians of formally protected land.	Consolidation of land holdings/cooperative arrangements between owners under a formal stewardship programme.	Collaboration, awareness,
<b>Primary Land Use/Desirable</b>	Conservation activities, research activities, conservation-based education and limited low-key	Land uses/activities considered suitable are conservation, research, conservation-based education, tourism (resorts and	Land uses/activities that are considered suitable in terms of planning guidelines, with an
<b>Activities</b>	Nature-based tourist facilities and activities with a light touch. Agriculture activities include stock grazing and game farming within the limits of natural ecological carrying capacities.	Lodges) and recreational activities. It would also include existing agricultural and other legal land uses.	Assessment/comment by the Management Authority/Board and due recognition of the Magaliesberg Biosphere.
<b>INFORMATION REQUIRED FOR LAND USE</b>	1. A sensitivity analysis of the site 2. A site development plan	1. A sensitivity analysis of the site 2. A site development plan	Information normally required in terms of land use and environmental legislation.

	3. An outline services report 4. A traffic impact study 5. Design and finishes of buildings and structures using eco-friendly concepts 6. Landscaping proposals 7. Legal documentation and approvals as required 8. A management plan and monitoring plan for the development, including a disaster management strategy and rehabilitation plan.	3. An outline services report 4. A traffic impact study 5. Design and finishes of buildings and structures using eco-friendly concepts 6. Landscaping proposals 7. Legal documentation and approvals as required 8. A management plan and monitoring plan for the development, including a disaster management strategy and rehabilitation plan.	
<b>EVALUATION CRITERIA</b>	Does it serve the conservation, research, education or eco-tourism purpose/s of the Core Area?	Does it respect the Magaliesberg Biosphere values, the management plan, and the purpose of the Buffer Zone?	Does it respect the MAGALIESBERG BIOSPHERE values, the management plan, and the purpose of the MAGALIESBERG BIOSPHERE?
	Is it essential that the locality be inside the Core Area?	Does it promote the objectives of the Magaliesberg Biosphere?	Does it comply with the relevant SDF?
	Is it legally compliant?	Does it conserve the natural landscape, biodiversity, cultural/heritage resources?	Has adequate supporting information been provided?
	Is more than one land parcel affected and, if so, how are they to be linked/tied?	Does it provide for sustainable use of resources?	Is the land use/activity appropriate to the site?
	Is it supported by the municipality and consistent with	Is it supported by the municipality and consistent with the relevant EMF, SDF	Is it supported by the municipality and consistent
	The relevant EMF, SDF and other regulations and official guidelines?	and other regulations and official guidelines?	With the relevant EMF, SDF and other regulations and official guidelines?
	Has adequate supporting information been provided?	Does it contribute to social improvement in local communities (economic and human)?	Is the location appropriate (accessibility, vegetation, riparian areas, slopes, visibility, lighting, etc)?
	Is the land use/activity appropriate to the site?	Does it enhance tourism, environmental education, research?	Are the engineering services, access, and infrastructural needs adequate, eco-sensitive, and compliant with municipal requirements?
	Is the location appropriate (accessibility, vegetation, riparian areas, slopes, visibility, lighting, etc)?	Is it legally compliant?	Are the waste management arrangements suitable and practicable?
	Does the land use/activity blend into the landscape?	Is more than one land parcel affected and how are they to be linked/tied?	
	Does the scale comply with the regulations of the appropriate protected area and the recommendations of an impact assessment (height, floor area, built form, number of employees, and number of visitors, development foot print and the like)?	Is it supported by the municipality or consistent with the relevant SDF?	
	Are the engineering services and infrastructural needs adequate, eco-sensitive, and compliant with municipal requirements?	Has adequate supporting information been provided?	
	Are the waste management arrangements suitable and practicable?	Is the land use/activity appropriate to the site?	



	Are the management and staffing arrangements adequate?	Is the location appropriate (accessibility, vegetation, riparian areas, slopes, visibility, lighting, etc)?	
	Is there a suitable disaster management plan?	Does the land use/activity blend into landscape?	
	Is there a rehabilitation plan?	Is the scale compliant with the guidelines (height, floor area, etc.)	
		Are the engineering services and infrastructural needs adequate, eco-sensitive, and compliant with municipal requirements?	
		Are the waste management and staffing arrangements suitable and practicable?	
		Is there a suitable disaster management and rehabilitation plan?	

## ANNEXURE 1

### DEVELOPMENT AND LAND USE GUIDELINES FOR THE MAGALIESBERG BIOSPHERE

#### 1 DEVELOPMENT AND LAND USE GUIDELINES

The development and land use guidelines should be ready in conjunction with Section 3 of the Magaliesberg Biosphere Management Plan (2011); are aimed at protecting the special attributes of the Magaliesberg Biosphere and its landscape; and have been set with eco-tourism principles in mind.

The intention is to promote conditions to protect the integrity of the MAGALIESBERG BIOSPHERE in respect of the conservation of existing ecosystems and biodiversity, the diversity of fauna and flora, the visual appearance, the context of core zone, and the limitation of potentially adverse impacts of human development on the Biosphere.

#### 3 CORE AREA

##### 3.1 DESCRIPTION

This zone is reserved for conservation, research and limited nature-based eco-tourism and should be restricted to activities which do not compromise the environmental integrity of the area.

The Core Area comprises formally protected areas and areas seeking formal protection within the Magaliesberg Biosphere, including any area registered or listed under an international conservation treaty, such as a:

- ☐ National Park;
- ☐ Nature Reserve;
- ☐ World Heritage Site;
- ☐ Ramsar Site;
- ☐ Biodiversity Site; and
- ☐ Privately-owned land that has been placed under strict conservation management, by way of a legally established conservancy agreement and/or formal protection of private land through the Protected Areas Act.

### **3.2 OBJECTIVES**

The objectives are to conserve the landscape, biodiversity and cultural history of the Magaliesberg Biosphere and to promote the use of these resources in a sustainable manner.

### **3.3 LAND USES AND ACTIVITIES**

The primary land uses are conservation, research, education and limited nature-based ecotourism activities.

The land use and activities within the present protected areas of the Magaliesberg Biosphere Core Areas (COHWHS and Kgaswane Nature Reserve) are governed by their respective management plans. The MPE land use is governed by the MPE EMF Plan. It is proposed that the MPE EMF Plan guidelines in conjunction with the following broad guidelines and procedures are used for the evaluation of compatibility of land use for any new areas intending to be included in the Core Area of the Biosphere Reserve or for any new land use applications in existing Core Areas.

#### **3.3.1 PRIMARY LAND USES/ACTIVITIES CONSIDERED SUITABLE**

The following land uses/activities are considered suitable in the Core Area:

- ☐ Conservation activities
- ☐ Research activities
- ☐ Environmental education activities
- ☐ Limited Nature-based Eco-Tourist facilities and activities.

Note: Notwithstanding the above list, there may be supporting facilities, infrastructure and other uses that comply with the assessment criteria and may be considered appropriate. There may also be legitimate homesteads; infrastructure and development rights that are already in place and that would need to be accepted.

Generally speaking, subdivision of existing land parcels is not favoured, while consolidations and joint ventures between contiguous land parcel owners to form larger tracts of land are favoured.

#### **3.3.2 INFORMATION REQUIRED FOR LAND USE/ACTIVITY APPROVAL**

Supporting information for new rights should contain a motivation and adequate information to show that the proposed use/activity will be congruent with the character and function of the Core Area, including:

- ☐ A sensitivity analysis of the site to highlight attributes to be protected and conserved, including topography, vegetation, geology, water bodies and courses and flood lines, heritage findings and the like;
- ☐ A site development plan showing the proposed development of the site and facilities;
- ☐ An outline services report showing the engineering services design and proposals to blend in with the site, and comply with eco-friendly principles. Where engineering services and waste removal facilities are to be provided by the developer, suitable arrangements in terms of a services agreement must be concluded with the affected municipality;
- ☐ A traffic impact study or scoping report or any other report that will support the decision-making process;
- ☐ Buildings and structures and their design and finishes using eco-friendly concepts;
- ☐ Landscaping proposals;
- ☐ Legal documentation (title deeds, Surveyor General diagrams, zoning certificates, etc) and approvals as required; and
- ☐ A management plan and monitoring plan for the development, including a disaster management strategy and rehabilitation plan.

### **3.3.3 EVALUATION CRITERIA FOR DEVELOPMENT/ACTIVITY PROPOSALS**

Applications will be considered by the Management Board in the light of the impact of the land use/activity on the integrity of the Core Area and its sustainability (environmental, social, economic and institutional). The following table is proposed to ascertain the suitability of a proposal:

#### **Criteria**

##### **Compatibility with Core Objectives**

Does it respect the Magaliesberg Biosphere values and the management plan?

Does it promote the Magaliesberg Biosphere?

Does it conserve the natural landscape?

Does it conserve the biodiversity?

Does it conserve cultural/heritage resources?

Does it provide for sustainable use of resources?

Does it contribute to social improvement in local communities (economic and human)?

Does it enhance tourism?

Does it promote environmental education?

Does it promote research?

##### **Proposal Specifics**

Does it serve the conservation, research, education or eco-tourism purpose/s of the Core Area?

Is it essential that the locality be inside the Core Area or can it be accommodated in the Buffer Zone?

Is it legally compliant?

Is more than one land parcel affected and, if so, how are they to be linked/tied (ie land management unit)?

Is it supported by the municipality or consistent with the relevant SDF?

Has adequate supporting information been provided?

Is the land use/activity appropriate to the site?

Is the location appropriate (accessibility, vegetation, riparian areas, slopes, visibility, lighting, etc)?

Does the land use/activity blend into landscape?

Is the scale appropriate (height, floor area, built form, number of employees, number of visitors, development foot print and the like)?

Are the engineering services and infrastructural needs adequate, eco-sensitive, and compliant with municipal requirements?

Are the waste management arrangements suitable and practicable?

Are the management and staffing arrangements adequate?

Is there a suitable disaster management plan?

Is there a rehabilitation plan?

## **4 BUFFER ZONE**

### **4.1 DESCRIPTION AND DEFINITION**

The Buffer Zone comprises of relatively undisturbed areas of the Magaliesberg Biosphere that are worthy of protection due to their generally high natural, visual and cultural quality and that underpin the core natural and cultural resource base of the Magaliesberg Biosphere.

It is defined as per the zonation delineation plan, and is subject to buy-in by the owner/s to the Magaliesberg Biosphere objectives through endorsement and/or formal voluntary participation in a stewardship programme (i.e. a member of a conservancy) which formally endorses the Magaliesberg Biosphere.

## **4.2 LAND USES AND ACTIVITIES**

As for the Core Area, rather than prescribe a list of land uses/activities that are permissible, it is proposed that any land use/activity within the general ambit of the above be assessed by the relevant land use authority and the Management Board in terms of specific criteria to establish whether it is consistent with the objectives of the Buffer Zone and whether it meets certain sustainability measures.

This requires that certain information be submitted to the relevant land use authority and the Management Board for consideration prior to the issuing of its decision and any development being initiated.

It also requires the participation of the relevant land use authority and the Management Board in monitoring the implementation of the proposals and their long term maintenance and functioning, and its intervention where problems arise.

### **4.2.1 PRIMARY LAND USES/ACTIVITIES CONSIDERED SUITABLE**

The primary land uses/activities considered suitable are conservation, research, conservation-based education, tourism (resorts and lodges) and recreational activities. It would also include existing agricultural and legal land uses.

Note: Notwithstanding the above list, there may be supporting facilities, infrastructure and other uses that comply with the assessment criteria and may be considered appropriate.

As with the Core Area, subdivision of existing land parcels is not favoured, while consolidations and joint ventures between contiguous land parcel owners to form larger land management units are favoured.

### **4.2.2 INFORMATION REQUIRED FOR LAND USE/ACTIVITY APPROVAL**

Supporting information should contain a motivation and adequate information to show that the proposed use/activity will be congruent with the character and function of the Buffer Zone, and should include:

- ☑ A sensitivity analysis of the site to highlight attributes to be protected and conserved, including topography, vegetation, geology, water bodies and courses and floodlines, heritage findings and the like;
- ☑ A site development plan showing the proposed development of the site and facilities;
- ☑ An outline services report showing the engineering services design and proposals to blend in with the site, and comply with eco-friendly principles. Where engineering services and waste removal facilities are to be provided by the developer, suitable arrangements in terms of a services agreement must be concluded with the affected municipality;
- ☑ A traffic impact study or scoping report or any other report that will support the decision-making process;
- ☑ Buildings and structures and their design and finishes using eco-friendly concepts;
- ☑ Landscaping proposals;
- ☑ Legal documentation (title deeds, Surveyor General diagrams, zoning certificate, etc) and approvals as required; and
- ☑ A management plan and monitoring plan for the development, including a disaster management strategy and rehabilitation plan.

### **4.2.3 EVALUATION CRITERIA FOR DEVELOPMENT/ACTIVITY PROPOSALS**

Applications will be considered in the light of compatibility with the environmental characteristics of the area, the impact on the integrity of the Core Area, and its sustainability (environmental, social, economic and institutional).

The following table is proposed to ascertain the suitability of a proposal:

## **Criteria**

### **Compatibility with Core Objectives**

Does it respect the Magaliesberg Biosphere values, the management plan, and the purpose of the Buffer Zone?

Does it promote the Magaliesberg Biosphere?

Does it conserve the natural landscape?

Does it conserve the biodiversity?

Does it conserve cultural/heritage resources?

Does it provide for sustainable use of resources?

Does it contribute to social improvement in local communities (economic and human)?

Does it enhance tourism?

Does it promote environmental education?

Does it promote research?

### **Proposal Specifics**

Is it legally competent?

Is more than one land parcel affected and how are they to be linked/tied?

Is it supported by the municipality or consistent with the relevant SDF?

Has adequate supporting information been provided?

Is the land use/activity appropriate to the site?

Is the location appropriate (accessibility, vegetation, riparian areas, slopes, visibility, lighting, etc)?

Does the land use/activity blend into landscape?

Is the scale appropriate (height, floor area, built form, number of employees, number of visitors, development foot print and the like)?

Are the engineering services and infrastructural needs adequate, eco-sensitive, and compliant with municipal requirements?

Are the waste management arrangements suitable and practicable?

Are the management and staffing arrangements adequate?

Is there a suitable disaster management plan?

## **5 TRANSITIONAL AREA**

### **5.1 DESCRIPTION AND DEFINITION**

Transition Areas are areas of stakeholder co-operation within the Magaliesberg Biosphere, which may contain diversity of economic activities, settlements and other land uses and in which local communities, management agencies, scientists, non-governmental organizations, cultural groups, economic interests and other stakeholders work together to manage and sustainably develop the area's resources. It is an essential component of the economic viability of the Magaliesberg Biosphere.

The Transition Areas are defined as per the zonation delineation plan and needs no formal buy-in from individual land owners or residents.

### **5.2 OBJECTIVES**

The intention in the Transition Areas is that the stakeholders work together to manage and develop the area's resources in a sustainable and environmentally friendly way, with due recognition of the Magaliesberg Biosphere.

### 5.3 LAND USES AND ACTIVITIES

The scope of land use options is constrained only by the municipal/land use guidelines and environmental requirements.

It is intended that the spatial development frameworks that affect the Magaliesberg Biosphere address the sensitivities of the interface between the defined Core Areas, Buffer Zones and the Transition Areas, and that consideration be given to the compatibility of uses with the Magaliesberg Biosphere objectives.

It is important that information on new applications be assessed by the relevant authorities against these criteria and that such applications would also be submitted to the Management Board as a stakeholder and that its comments be provided serious consideration by the appropriate authorities in the granting of permissions for development and change in land uses in the Transition Areas.

The monitoring of implementation of the proposals and their compliance with stipulated conditions by the relevant authorities could be augmented by the Management Board.

#### 5.3.1 INFORMATION REQUIRED FOR LAND USE/ACTIVITY APPROVAL

The legally prescribed supporting information for new land uses and activities in the Transition Area would be required by the relevant authorities (e.g. the municipalities).

It is intended that by cooperation with these authorities, the Management Board should be included as a stakeholder and that notice of applications should be referred to it for comment within a specified timeframe.

In assessing the applications and providing comments the following evaluation criteria in 3.2.5 should be used by the relevant authorities and the Management Board.

#### 5.3.2 EVALUATION CRITERIA FOR DEVELOPMENT/ACTIVITY PROPOSALS

The following table is proposed to ascertain the suitability of a proposal:

**Criteria**

**Compatibility with Magaliesberg Biosphere Objectives**

Does it respect the Magaliesberg Biosphere values, the management plan, and the purpose of the Magaliesberg Biosphere?

**Land Use/Activity**

Has adequate supporting information been provided?

Is the land use/activity appropriate to the site?

Is the location appropriate (accessibility, vegetation, riparian areas, slopes, visibility, lighting, etc)?

Is the land use/activity/layout sensitive to the natural landscape, including vegetation, geology and riparian areas?

Is the scale appropriate (height, floor area, built form, number of employees, number of visitors, development foot print and the like)?

Are the engineering services, access, and infrastructural needs adequate, eco-sensitive, and compliant with municipal requirements?

Are the waste management arrangements suitable and practicable?

Does it comply with the relevant SDF?

## Development Parameters and Guidelines – Pertinent Extracts from the Magaliesberg Protected Environment Environmental Management Framework and Plan.

### Magaliesberg MPE: Draft Environmental - Management Framework and Plan The NW DACE (2007) pages 4-5;15-32; 40-60

#### **2..1 POINT OF DEPARTURE 1: PURPOSE OF THE ENVIRONMENTAL MANAGEMENT FRAMEWORK AND MANAGEMENT GUIDELINES**

It must be clearly understood that the EMF is a decision support and not decision making tool. Due to the nature of the information contained in the EMF which is of a distinctly strategic nature, it logically implies that the content aims to inform strategic level decision making. Final project level decisions will only be decided once a full EIA has been conducted presenting the detailed site specific information required for specific development proposals. The EMF provides clear strategic direction to decision makers to ensure that the MPE is managed in line with the set strategic vision and objectives of the area.

#### **2..2 POINT OF DEPARTURE 2: SENSITIVITY AND ENVIRONMENTAL IMPACT ASSESSMENT PROCESS**

It must be emphasized that the entire MPE is considered as a sensitive area. Unlike the approach of EMF's in more diverse development areas, there cannot be reference to areas of "low" or "medium" sensitivity. Within the MPE, all areas are considered as sensitive and are thus in terms of the spatial guidelines described as "*sensitive*", "*highly sensitive*" and "*areas with exceptional conservation value*". For this reason it is recommended that all proposed activities within the MPE which is not included under the list of "compatible activities" (see Table 5.2) will require full Environmental Impact Assessments as set out in Sections 27 to 36 of the EIA Regulations (No. R 385).

#### **POINT OF DEPARTURE 3: LAND USE RIGHTS**

The proposals contained in the EMF do not infringe or erode primary land use rights of existing land owners. These primary rights have been included under the description of "compatible activities" under section 5. The EMF does however provide clear guidance on applications for the expansion of development rights, or so-called "secondary" rights. To ensure the legal compatibility of the EMF with existing legislation and Land Use Management Systems, the definitions under section 5 reflect existing legal definitions for different land uses. Any activity not listed in the activity description framework will automatically require a full EIA.

#### **2..4 POINT OF DEPARTURE 4: SPATIAL LINKAGES IN REGIONAL CONTEXT**

Although the focus of the EMF is the Magaliesberg Protected Environment, it is important that adjacent areas and the management of the broader area also be considered within the context of important functional spatial linkages within a regional context. These include potential linkages with existing conservancies in and adjacent to the MPE area, the Cradle of Humankind World Heritage Site, as well as important physical linkages to areas such as the Norite Hills towards the North of Magaliesberg and the Witwatersrand Mountains south thereof. The importance of these linkages and the implementation thereof should thus also be incorporated into relevant policies and guidelines such as the North West Provincial Spatial Development Framework (currently under review), the Municipal Spatial Development Frameworks impacting on the study area, as well as Environmental Management Frameworks of municipalities within and adjacent to the study area.

## 4 DEVELOPMENT OBJECTIVES, TARGETS AND INDICATORS

### 4.1 BACKGROUND

As indicated in Section 1, the Environmental Management Framework needs to be guided by a clearly defined vision and overall set of development objectives describing the desired state of the environment of the study area. This vision and objectives are based on the findings of the status quo analysis and the key issues synthesized from the consultative workshops. This section firstly outlines a development vision for the study area, followed by a set of overall development objectives. The findings of the status quo analysis and the identified issues and challenges clearly indicate that the development objectives must address six key themes:

- ☐ Water resources
- ☐ Biodiversity
- ☐ Heritage resources
- ☐ Visual and aesthetic aspects
- ☐ Built environment
- ☐ Socio-economic environment

In certain instances it may be possible that activities could have conflicting impacts on the objectives of the main themes outlined above. In these instances, the order of the themes outlined above also represents the priority objectives with regards to the study area. This will for example imply that biodiversity objectives will take precedence over visual and aesthetic objectives. Similarly, visual and aesthetic objectives would take precedence over socio-economic development objectives.

The objectives, potential indicators and targets relating to each of these main themes are described in tabular format in the subsequent sections, dealing with the following aspects:

- ☐ *Justification for the objective.* It is important for the MPE management authority to be able to justify and explain the rationale behind the various objectives – especially when assessing development applications.
- ☐ *Description of the overall objectives and sub-objectives.* The objectives will form one of the main parameters against which to assess future development proposals, both within the MPE and within a 2,5km buffer around the MPE. For this reason it is important that the objectives are well formulated and clearly understandable.
- ☐ *Potential indicators and targets relating to each sub objective.* Although targets and indicators are proposed in the following sections, more detailed targets and indicators can only be finalized once more detailed information becomes available. The targets and indicators presented here should be regarded as indicative and to be refined over time.

### OBJECTIVES

**Objective 1:** *To maintain and enhance the contribution of the MPE to water quality and quantity to the Crocodile West and Marico Water Management Area and specifically to the Elands and Upper Crocodile Sub-management Areas.*

**Objective 2:** *To maintain and promote the contribution of the MPE to the conservation of biodiversity in South Africa, both in terms of ecosystem integrity and species diversity.*

**Objective 3:** *To protect and manage all types of heritage resources within the MPE as an important physical and eco-tourism asset.*



**Objective 4:** *To maintain and enhance the visual and aesthetical character of the MPE with a view to protect the eco- tourism potential of the mountain.*

**Objective 5:** *To manage the built environment and development activities in a sustainable manner, without reducing the aesthetic appeal or ecosystem function of the MPE.*

**Objective 6:** *To optimize potential economic and social development opportunities compatible with the MPE, and to conserve the MPE's ability to provide and support these opportunities.*

#### **4..2 DEVELOPMENT VISION**

A vision can be described as “a forward looking ideal of where a community or area wants to be. It not only inspires and challenges but is meaningful enough that all residents can relate to it” (Webster, D).

The vision for the MPE is defined as follows:

*“The Magaliesberg Protected Environment is internationally and nationally recognized for its unique biodiversity, geo-morphology and heritage resources which are protected and conserved to provide sustainable and quality eco-tourism and educational / research opportunities for current and future generations”.*

#### **ACTIVITY DESCRIPTION FRAMEWORK**

One of the key components of an Environmental Management Framework is to indicate the type of activities that would have a significant impact on the environmental attributes described in the status quo report and depicted on the environmental sensitivity map, and those that would not, and to indicate the types of activities that would be undesirable in the area or specific parts of the area (also refer to Section 71 of the Environmental Impact Assessment Regulations of 2006). Having established a set of overall development objectives to support the long term vision of the MPE, and having outlined environmental sensitivity zones based on a combination of environmental criteria, it is necessary to identify those activities that will be compatible with the various environmental sensitivity zones and indicate the extent to which they will support implementation of the identified objectives.

To ensure the compatibility of the EMF with existing legislation and Land Use Management Systems, the definition of activities are based on existing legal definitions contained in legislation and other guidelines relevant to the MPE. These include the Administrators Notices 126 and 127 of 1994, the Rustenburg Land Use Management Scheme of 2005, the listed activities in Government Notices R386 and R387, and other definitions from relevant legislation. Part of the Magaliesberg MPE falls within the Madibeng Local Municipality which currently utilizes four different town planning schemes i.e. the Brits, Kosmos, Hartebeespoort and Peri urban planning schemes. The Madibeng LM is currently in the process of finalizing and promulgating a new land use management scheme for the Madibeng area. The definitions used in the table below were thus mainly drawn from the Rustenburg Land Use Management Scheme which was prepared in 2005 and thus provides more recent definitions than the existing town planning schemes currently in operation in the Madibeng area.

The intention is that relevant decision making authorities would use the activity description framework outlined below, together with the environmental sensitivity mapping, and the development objectives to consider the compatibility and desirability of different types of development activities at different locations within the study area. This will provide a first screen of the compatibility of specific types of development activities at various locations and associated environmental authorization requirements.

The following three steps are required in the application and interpretation of the activity framework:

☐ **Step 1: Locate activity on activity list:**

The first step would be to locate the proposed activity on the activity list and determine if it is classified as “*compatible*”, “*potentially compatible*” or “*incompatible*”. All activities considered compatible could commence without an environmental authorization. Activities listed as “*potentially compatible*” and “*non-compatible*” requires full EIA’s to be conducted. However, it is obvious that activities listed as “*incompatible*” will have a very limited chance of success and will most probably not be supported by the decision making authorities. Any activity not described in the attached table will also require a full EIA.

☐ **Step 2: Check the location of the activity in relation to the sensitivity zones:**

As already highlighted as a point of departure in Section 2, all areas within the MPE are considered sensitive. However, the different activities have also been evaluated in relation to the spatial location to provide a strategic level spatial perspective. The activities thus also need to be considered in relation to spatial distribution at various levels of environmental sensitivity.

☐ **Step 3: Consider activity against strategic objectives:**

The different activities have also been analyzed in terms of their alignment with the identified objectives for the MPE. Applications need to be considered against their contribution towards achieving certain objectives and/or their potential to negatively influence achieving the MPE objectives.

Table 5.2: Compatible activities

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Compatible Activities	Establishment of bioregions	Means a geographic region which has in terms of Section 40(1) of the NEMBA been determined as a bioregion	NEMBA S1	√	√	√	A	A	A	A	A	A
	Establishment of conservancies	Means – informally protected area that has been established on a voluntary basis including a registered game farm.	RLUMS S1.22	√	√	√	A	A	A	A	A	A
	Conservation	Means – activities normally or otherwise reasonably associated with the use of land for preservation or protection of the natural or built environment, including the preservation or protection of the physical, ecological, cultural or historical characteristics of land against undesirable change or human activity.	RLUMS S1.23	√	√	√	A	A	A	A	A	A
	Establishment of cultural heritage sites	This includes all world, national and provincial heritage sites (archaeological sites, graves, forts, rock art sites, battlefields, conservation worthy buildings as well as monuments, memorials and natural sites)	RLUMS S1.27	√	√	√	A	A	A	A	A	A
	Establishment of nature reserve	Means – an area declared, or regarded as having declared, in terms of S23 of the NEMPA	NEMPA: S1	√	√	√	A	A	A	A	A	A
	Farm Settlement	The use of land for homesteads for people living on a farm and are associated with the bona fide farming activities of that specific farm	RLUMS S1.46	√	△	△	B	B	B	B	A	A
	Game farming	Means any farming activity involving wild animals, including extensive (ranching) systems and systems where animals are fed (farming).	National Policy on game farming GG 28994 – 2006	√	△	△	B	B	B	A	A	A

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Compatible Activities	Heritage conservation	Includes protection, maintenance, preservation and sustainable use of places or objects so as to safeguard their cultural significance	NHRA S1	√	√	√	A	A	A	A	A	A
	Livestock farming	Land that is used or intended to be used for infrastructure and land uses associated with farming of livestock on natural veld.	Adapted from RLUMS	√	△	△	B	B	B	A	B	A
	Minor structural alterations	Means small structural changes to an existing building for which a building plan is not required and which is smaller than the activities envisaged under "Construction or enlargement of buildings or structures".	RLUMS S1.89	√	√	√	A	A	A	A	A	A
	Protected areas	Means an area of land especially dedicated to the protection and maintenance of biological diversity and of natural and associated cultural resources and managed through legal or other effective means.	RLUMS S1.113	√	√	√	A	A	A	A	A	A
Spatial analysis:			Analysis against environmental objectives:									
√ = compatible location △ = potentially compatible location X = incompatible location			A = positive contribution to achieving objective B = potential negative impact on achieving objective C= negative impact on achieving objective									

Table 5.3: Potentially compatible activities

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Potentially Compatible Activities	<b>Accommodation enterprises</b>	Means a residential enterprise which can be conducted from rooms, without a kitchen of its own or a dwelling unit and which forms part of a dwelling unit which is not permanently occupied, used for accommodation of visitors on a temporary basis, subject to such requirements laid down by the relevant authority and may include concepts such as guest houses, bed and breakfast establishments and guest lodges.	Adapted from RLUMS S1.2	√	X	X	B	B	B	B	A	A
	<b>Camping</b>	Land provided with adequate ablution facilities for tenting or camping purposes.	RLUMS S1.16	△	△	X	B	B	B	B	A	A
	<b>Construction or enlargement of buildings or structures</b>	Erection of any structure or building which is higher than 2 meters, or enlargement of existing structures or buildings.	AN 127 - S1(a)	√	√	X	B	B	B	B	A	A
	<b>Fencing</b>	Erecting of fencing structures higher than 2m.	Derived from AN 127 - S1(a)	△	△	△	B	C	C	C	C	C
	<b>Fire breaks</b>	No official definition currently available.	To be determined	△	△	△	B	C	C	C	C	C
	<b>Guest house</b>	A residential enterprise which can be conducted from rooms within a dwelling unit and which forms part of a permanently occupied dwelling unit, used for the accommodation of visitors on a temporary basis, subject to such requirements laid down by the relevant authority but excludes uses included in the definition of a 'Hotel', 'Place of Refreshment', 'Teagarden', 'Restaurant', 'Place of Amusement', and 'Conference Facility', provided that: <ul style="list-style-type: none"> <li>the owner or occupant of the dwelling unit shall reside on the property and shall also conduct the residential enterprise</li> </ul>	RLUMS S1.57	√	△	X	B	B	B	B	A	A

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Potentially Compatible Activities		<ul style="list-style-type: none"> <li>the guest house shall comprise of a maximum of eight (8) bedrooms (including the bedrooms utilised by the owner or occupant of the dwelling unit for personal use)</li> <li>a guest house shall not apply to a second dwelling unit</li> <li>the use shall not interfere with the amenity of the MPE</li> <li>the preparation and serving of food and meals shall be restricted to the inhabitants of the dwelling unit and guest house only</li> </ul>										
	Guest Lodge	<p>A residential enterprise, located within a rural area, which can be conducted from detached or attached rooms, without a kitchen of its own, or a <i>dwelling unit</i>, as approved by the <i>relevant authority</i> for the accommodation of visitors on a temporary basis, subject to such requirements laid down by the relevant authority but excludes uses included in the definition of a 'Hotel', 'Place of Refreshment', 'Teagarden', 'Restaurant', 'Place of Amusement', and 'Conference Facility', provided that:</p> <ul style="list-style-type: none"> <li>the property shall retain its agricultural / rural character</li> <li>the <i>owner</i> / manager of the residential enterprise shall reside on the <i>property</i> and shall also conduct the residential enterprise</li> <li>the guest lodge shall comprise of a maximum of eight (8) guest rooms</li> <li>the use shall not interfere with the amenity of the MPE</li> <li>the preparation and serving of food and meals shall be restricted to the inhabitants of the <i>dwelling unit</i> and guest lodge only</li> <li>no permanent or long-term accommodation (three months or more) shall be permitted and no person (excluding the <i>owner</i> or <i>occupant</i> of the <i>dwelling unit</i>) shall reside on the <i>property</i> for a period in excess of three months in any one calendar year.</li> </ul>	RLUMS S1.58	√	X	X	B	B	B	B	A	A

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Potentially Compatible Activities		<ul style="list-style-type: none"> <li>a <i>site development plan</i> be submitted to the relevant authority simultaneously with the submission of an application for the establishment of a guest lodge.</li> </ul> <p>The establishment and operation of a guest lodge shall be subject to satisfactory arrangements having been made with regard to the provision of services to the guest lodge to the satisfaction of the relevant authority.</p>										
	Hiking trails	Means any hiking trails for outdoor recreational purposes.	AN 127 - S1(f)	√	√	√	B	B	B	B	A	A
	Home enterprise	<p>A small scale enterprise which is used by the <i>occupant</i> of a <i>dwelling unit</i> for the conducting of a practice or occupation with the aim of deriving income there from and which is practiced by a maximum of three (3) persons, of which at least one is a full time resident of the <i>property</i> subject to such requirements imposed by the relevant authority provided that –</p> <ul style="list-style-type: none"> <li>the dominant use of the <i>property</i> shall remain agricultural;</li> <li>the business shall not exceed a <i>floor area</i> of 40m<sup>2</sup>, which floor area shall include all storage areas;</li> <li>the business shall not be noxious; and</li> <li>the business shall not interfere with the amenity of the MPE;</li> <li>no title condition applicable to the <i>property</i> may be transgressed;</li> </ul>	RLUMS S1.62	√	√	√	B	B	B	B	A	A
	Place of refreshment	includes inter alia a <i>teagarden</i> or coffee shop and means a <i>building</i> which is not a <i>hotel</i> , residential club or boarding house, but which is designed and used for the preparation and serving and/or retail sale of meals, food, beverages and refreshments and may include the retail	RLUMS S1.108	√	X	X	B	B	B	B	A	A

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Potentially Compatible		sale of cold drinks, tobacco, reading material, dainties and sweets, but excluding a <i>hotel, accommodation enterprise, guest house, drive-in restaurant and drive-thru-restaurant</i> provided that the establishment and operation of a place of refreshment for the sale or supply to customers of any foodstuff in the form of meals for consumption on or away from the <i>property</i> shall be subject to a licence in terms of the Business Act, 1991 (Act 71 of 1991).										
	Private open space	Private <i>land</i> used for open space of for a sport-, play-, rest- and recreational ground or as an ornamental garden to which the general public does not have right of access except by consent..	RLUMS S1.110	√	△	X	B	B	B	A	A	A
	Public open space	<i>Land</i> used or intended for use by members of the public as undeveloped land, a park, garden, conservation area, a playground, or recreation ground.	RLUMS S1.115	√	△	X	B	B	B	A	A	A
	Recreation	Means any <i>land</i> earmarked for use as private or public recreation site including any <i>building</i> , structure or facility appurtenant thereto but excluding 4X4 tracks and quad bikes.	Adapted from RTPS S1.118	√	△	△	B	B	B	B	A	A
	Roads	To be determined based on classification of tracks, and access roads and width thereof		√	X	X	B	B	B	B	A	A
	Teagarden	Means <i>land</i> and a <i>building</i> designed and used for the preparation or retail sale of meals and refreshments, but does not include a " <i>Restaurant</i> " or " <i>Place of Refreshment</i> ". The area used for a teagarden may be restricted by the relevant authority, provided that the establishment and operation of a teagarden for the sale or supply of any foodstuff in the form of meals for consumption on or away from	RLUMS S1.153	√	X	X	B	B	B	B	A	A





Table 5.4: Incompatible activities

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Incompatible activities	<b>Abattoir</b>	Means a slaughtering facility, whether stationary or mobile, at or on which animals are slaughtered or intended to be slaughtered, and includes areas in or adjacent to such facilities where carcasses are chilled and meat or animal products are handled and in respect of which a registration certificate has been issued in terms of section 8(1) of the Meat Safety Act, (Act 40 of 2000) and in respect of which a grading has been determined in terms of section 8(2) of the said Act.	RLUMS S1.1	X	X	X	C	C	C	C	C	C
	<b>Aerodrome</b>	Means land used or a building designed or used for the landing, departure, storage and maintenance of aircraft and may include landing fields, runways, taxiways, heliport, hangers, control towers, fuel storage and supply areas, public enclosures as well as such training facilities.	RLUMS S1.3	X	X	X	C	C	C	C	B	B
	<b>Agri-industries</b>	Means an undertaking involving the production, processing, manufacture, packaging or storage of agricultural produce and includes battery farm operations that are under one roof.	EIA Regs GN 386 - S1	X	X	X	C	C	C	C	C	C
	<b>Aquaculture</b>	Means the farming of animals and plants in an aquatic environment.	EIA Regs GN 386 - S1	X	X	X	C	C	C	C	C	C
	<b>Bakery</b>	Means a building in which bread, rusks, biscuits, pies, pastries, confectionery and other baked products are produced in bulk for distribution to wholesalers and/or retailers.	RLUMS S1.7	X	X	X	C	C	C	C	C	C
	<b>Caravan Park</b>	Land provided with adequate ablution facilities for temporary accommodation of mobile dwelling units.	RLUMS S1.16	X	X	X	B	B	B	B	A	A
	<b>Cemetery</b>	Means land and buildings used for the purpose of a cemetery and may include buildings used as a mourning chapel, crematory, wall of	RLUMS S1.17	X	X	X	C	C	C	C	C	C

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Incompatible activities		remembrance, as well as such subservient buildings used in connection with the maintenance of the cemetery.										
	Conference facility	Means a <i>building</i> designed for use or used as a temporary lecture hall, training facility, conducting of workshops, meetings, conferences, symposiums and related uses, but does not include a " <i>Place of Instruction</i> ". The area used for a conference facility may be restricted by the <i>relevant authority</i> , and is further subject to the policy of relevant authority as amended from time to time.	RLUMS S1.20	X	X	X	C	C	C	B	B	B
	Construction of bulk infrastructure	Means the construction of (bulk) roads, power lines, canals, reservoirs, cable ways or structures for radio- and telecommunication purposes.	AN 127 - S1(c)	X	X	X	C	C	C	C	B	B
	Country estates	The provision of dwelling houses (non-permanent as well as permanent occupation) for full title or sectional title development – nature orientated – on agricultural land or municipal land.	DDLGH Policy S4	X	X	X	C	C	C	B	B	B
	Crematorium	Means a <i>building</i> equipped with the necessary specialized equipment used for a cremation, including all equipment reasonably necessary or appurtenant thereto and includes any structure approved by the relevant authority under special circumstances as cremation subject to the provision of the Crematoriums Act, 1965 (Act 18 of 1965).	RLUMS S1.26	X	X	X	C	C	C	C	C	C
	Cultivation of virgin soil	Means the transformation of land for cultivation of virgin soil.	Revised EIA Regs GN 386 Act15(c)	X	X	X	C	C	C	C	C	C

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Incompatible activities	Drive-in-restaurant	Land used or a building designed or used as a place of refreshment from where food and refreshments are served to clients who are, inter alia, seated in parked vehicles for consumption on or away from the concerned property provided that the establishment and operation of a Drive-in-restaurant for the sale or supply to customers of any foodstuff in the form of meals for consumption on or away from the property shall be subject to a licence in terms of the Business Act, 1991 (Act 71 of 1991).	RLUMS S1.31	X	X	X	C	C	C	C	C	C
	Drive-through restaurant	Land used or a building designed or used as a place of refreshment from where food and refreshments are sold and served to clients in vehicles for consumption away from the concerned property provided that the establishment and operation of a Drive-thru-restaurant for the sale or supply to customers of any foodstuff in the form of meals for consumption away from the property shall be subject to a licence in terms of the Business Act, 1991 (Act 71 of 1991).	RLUMS S1.32	X	X	X	C	C	C	C	C	C
	Electrical purposes	Means land used or a building designed or used for the purposes of electricity services and more specifically for the purpose of Eskom, provided that any other institution that supplies a similar or complimentary service can be accommodated on the erf or building with the special consent of the relevant authority.	RLUMS S1.36	X	X	X	C	C	C	C	C	C
	Excavation	Means the initiation of any excavation of any nature.	AN 127 - S1(d)	X	X	X	C	C	C	C	C	C
	Factory	A factory as defined in the Act on Machinery and Professional Safety (Act 6 of 1983) or any amendment thereof.	RLUMS S1.44	X	X	X	C	C	C	C	C	C

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Incompatible activities	Feedlot	Means the concentration of animals for the purpose of commercial production.	EIA Regs GN 386 Act15(c)	X	X	X	C	C	C	C	C	C
	Filling station	<i>Land used or a building designed or used for the purposes of the fuelling, washing, polishing and lubrication of motor vehicles, including incidental and routine maintenance but excluding a "Public Garage", panel beating, spray-painting and major repairs and can include the retail trade of emergency spare parts and auxiliary items as a complimentary subservient service as well as a convenience store of which the area, including store rooms, shall not exceed a total area of 100m<sup>2</sup> (or such other floor area as approved by the relevant authority with <i>Special Consent</i>), provided that if any other area is stipulated by any approving authority, the most prohibitive condition shall prevail.</i>	RLUMS S1.47	X	X	X	C	C	C	C	C	C
	Government purposes	<i>Land used or buildings designed or used for government or municipal purposes which may include communal facilities provided by the Government or the relevant authority.</i>	RLUMS S1.53	X	X	X	C	C	C	C	C	C
	Golf estate	Official definition to be determined		X	X	X	C	C	C	C	C	C
	Group housing	A group of detached and / or attached <i>dwelling units</i> on a stand or stands that form an integrated, harmonious and architectural unit and include concepts like group housing, townhouses, simplexes, duplexes and all such development.	RLUMS S1.56	X	X	X	C	C	C	C	C	C
	Gymnasium	A business where people do physical and aerobic exercises with or without apparatus.	RLUMS S1.59	X	X	X	C	C	C	C	C	C

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Incompatible activities	Hotel	An <i>accommodation enterprise</i> that is registered as a Hotel by virtue of Section 1 of the Act on Hotels 1965 (Act 70 of 1965) as amended (including but not limited to budget hotels such as Town-, City-, and Road Lodges) and includes <i>places of amusement</i> .	RLUMS S1.63	X	X	X	C	C	C	C	B	B
	Industry	The use of <i>land</i> or a <i>building</i> for a <i>factory</i> , distributing depot, wholesale, storage, warehouse for the storage of wholesale merchandise, carting and transport services, laboratories, workshop and <i>vehicle workshop</i> and may also include <i>offices</i> which are normally associated with or which are reasonably essential for the main use as well as the sale of goods wholly or partially manufactured, processed or packed on the <i>property</i> .	RLUMS S1.64	X	X	X	C	C	C	C	C	C
	Informal rural settlement	Settlement situated on private, tribal or state land. Settlement is not planned or surveyed. Ownership is communal and is managed by a <i>communal property association</i> or <i>tribal authority</i> .	RLUMS S1.66	X	X	X	C	C	C	C	C	C
	Informal structure	Residential shelter of a temporary nature in accordance with the provisions of the Act on National Building Regulations and Building Standards, 1977 (Act 103 of 1977) and any amendments thereof subject to the provisions of Clause 27.	RLUMS S1.67	X	X	X	C	C	C	C	C	C
	Installation of bulk pipelines	Means the installation of any (bulk) water-, fuel- or mineral pipeline	AN 127 - S1(b)	X	X	X	C	C	C	C	C	C
	Kennels	Means <i>land</i> used for the purpose of keeping, breeding, accommodating and lodging of any domestic animal.	RLUMS S1.71	X	X	X	C	C	C	C	C	C
	Light industry	A use, which, in the opinion of the <i>relevant authority</i> is a small-scale industry, with emphasis on non-noxious production activities,	RLUMS S1.79	X	X	X	C	C	C	C	C	C

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Incompatible activities		maintenance and repair, as well as <i>retail trade</i> in connection therewith, and may include <i>offices</i> which are related directly to and are complementary to the main use.										
	Liquor activities	<i>Land used or a building designed or used for the purpose of carrying on retail trade in liquor products as defined in terms of section 2(1)(xv) of the Liquor Act, 1989 (Act 27 of 1989) and in any amendments thereof, for consumption off the licensed premises and includes uses requiring brewers licenses, liquor store licenses, sorghum beer brewer's licenses, sorghum beer licenses for off-consumption and special licenses for off-consumption as defined in terms of Chapter 8 of the Liquor Act, 1989 (Act 27 of 1989) but excludes uses requiring grocers' wine licenses as defined in terms of Chapter 8, Sections 87 to 90 of the Liquor Act, 1989 (Act 27 of 1989) and in any amendments thereof.</i>	RLUMS S1.80	X	X	X	C	C	C	C	C	C
	Livestock yard	<i>Land used or a building designed or used for the keeping of and retail / wholesale in livestock including inter alia horses, mules, goats, pigs, poultry, ostriches and other animals or birds for human consumption or of a domestic nature but excludes activities included in the definitions of "agri-industries", "abattoirs" and "feedlots".</i>	RLUMS S1.82	X	X	X	C	C	C	C	C	C
	Mining	Means activities that under the Mineral and Petroleum Resources Development Act, (28 of 2002) and any amendments thereof, are used or designated for mining and / or exploitation of minerals, or for which purpose a permit has been issued under the aforementioned Act and includes such uses directly related and appurtenant to the use of the land and buildings for mining purposes.	RLUMS S1.87	X	X	X	C	C	C	C	C	C
	Mobile grave yard	Means <i>land used or a building designed or used for the purposes of dumping and abandoning disused motor vehicles and parts thereof.</i>	RLUMS S1.91	X	X	X	C	C	C	C	C	C

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Incompatible activities	Nursery	Land used or buildings designed or used for the purposes of growing plants or seed for horticulture, growing of vegetables, flowers or any other shrub or tree or the purchasing of plants and / or retail trade therein, including subservient retail trade in related and non-motorized gardening equipment, garden furniture or decorations as well as irrigation equipment, excluding however agricultural equipment.	RLUMS S1.94	√	X	X	B	B	A	B	B	B
	Panel beating	The replacement, reparation and/or panel beating of the body and spare parts of vehicles and / or the spray-painting thereof.	RLUMS S1.100	X	X	X	C	C	C	C	C	C
	Peat extraction (harvesting, mining)	To be determined		X	X	X	C	C	C	C	C	C
	Place of amusement	Land used or a building designed for or used as a public hall, theatre, cinema, music hall, concert hall, billiards saloon, sports arena / stadium, skating rink, dance hall, amusement park, gambling place or non-residential club - or for other recreational purposes, or for trade-or industrial exhibitions or for pinball machines or electric games with more than three (3) machines, provided that the use of land or a building designed for or used for an amusement facility as contained in Schedule 1 (Item 2) of the Business Act, 1991 (Act 71 of 1991) (Refer Schedule E) shall be subject to a licence as set out in the Act. Provided further that the use of the land or a building for the purposes of a gambling place shall be subject to a licence in terms of the North West Gambling Act, 2001 (Act 2 of 2001) as amended from time to time / or in any amendments thereof.	RLUMS S1.106	X	X	X	C	C	C	C	C	C



	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Incompatible activities	Place of instruction	A <i>building</i> designed for use as a school, college, technical or academic institution, crèche, lecture hall, nursery school, after school care centre, or other educational centre and a hostel in connection therewith and includes a convent or monastery, a library, art gallery and a museum.	RLUMS S1.107	X	X	X	C	C	C	C	C	B
	Public resorts	Means to provide chalets, caravan park, camping, etc. (non-permanent occupation) and recreational facilities to rent out to the public on weekends and holidays – nature orientated	DDLGH Policy S4	X	X	X	B	B	B	B	A	A
	Private resorts	Means to provide dwelling units (non permanent occupation) for sectional title development – nature orientated – on agricultural land or municipal land.	DDLGH Policy S4	X	X	X	C	C	C	C	B	B
	Public garage	A <i>building</i> used, with a view to profit, for the maintenance, repair or fuelling of vehicles and associated purposes, and may include a <i>vehicle workshop</i> , the display and sale of new and used motor vehicles, the cleaning and washing thereof, the sale of spare parts, accessories, fuel and lubricants and may also include a <i>place of refreshment</i> and convenience store as subservient use but excludes spray-painting, <i>panel beating</i> or a <i>scrapyard</i> , provided that the convenience store and <i>place of refreshment</i> , including store rooms, shall not exceed a total area of 100m <sup>2</sup> (or such other floor area as approved by the relevant authority, provided that if any other area is stipulated by any approving authority the most prohibitive condition shall prevail.	RLUMS S1.114	X	X	X	C	C	C	C	C	C
	Public worship	A <i>building</i> designed for use or used as a church, chapel, oratory, prayer house, mosque, synagogue or other place of public devotion, and includes a <i>building</i> designed to be used as a place of religious institution and / or a <i>building</i> designed for social intercourse and recreation on the same <i>property</i> as and associated with any of the foregoing <i>buildings</i> .	RLUMS S1.116	X	X	X	C	C	C	C	C	C

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Incompatible activities	Quad bike trails/ facilities	To be determined		X	X	X	C	C	C	C	C	C
	Railway purposes	Means the use of <i>land</i> or a <i>building</i> designed or used for railway purposes and for a telecommunication reception base station, including a mast.	RLUMS S1.117	X	X	X	C	C	C	C	C	C
	Restaurant	Means a <i>building</i> or part of a <i>building</i> used for the preparation and sale of meals and refreshments, as well as confectionery for consumption on the <i>erf</i> or the <i>property</i> and includes entertainment subsidiary to the main use and can include a <i>place of refreshment</i> , as well as a <i>drive-thru restaurant</i> provided that the establishment and operation of a Restaurant for the sale or supply to customers of any foodstuff in the form of meals for consumption on or away from the <i>property</i> shall be subject to a licence in terms of the Business Act, 1991 (Act 71 of 1991).	RLUMS S1.121	X	X	X	C	C	C	C	C	C
	Retirement village	Includes <i>dwelling units</i> and community facilities such as a dining hall, sickbay, sport and recreation facilities or such other facilities, approved by the <i>relevant authority</i> , for occupancy and use by elderly people.	RLUMS S1.123	X	X	X	C	C	C	C	C	C
	Scrapyard	<i>Land</i> or <i>buildings</i> used as a scrapyard or for the dismantling, stacking, storing or preparing for resale of any used material, waste metal, scrap vehicles, scrap machinery or any other scrap material whether or not such dismantling or stacking is done with a view to disposal or re-use of such waste.	RLUMS S1.132	X	X	X	C	C	C	C	C	C
	Semi formal rural settlement	Settlement situated on private, tribal or state land. Settlement is planned and surveyed. Ownership is communal and is managed by a <i>Communal Property Association</i> or <i>Tribal Authority</i> .	RLUMS S1.134	X	X	X	C	C	C	C	C	C

	Activity	Definitions	Source of definition	Sensitivity Mapping			Environmental Objectives					
				Sensitive	Highly Sensitive	Areas with Exceptional Conservation Value	1	2	3	4	5	6
Incompatible activities	Shop	Land used or a <i>building</i> designed or used for the purpose of carrying on <i>retail trade</i> and the necessary accompanying storage and packing and includes any accompanying uses on the same <i>property</i> appurtenant but ancillary to the <i>retail trade</i> being carried on. The following uses are not regarded as appurtenant to a shop: a " <i>noxious use</i> ", " <i>drive-in-restaurant</i> ", " <i>place of refreshment</i> ", " <i>drive-thru restaurant</i> ", " <i>liquor enterprise</i> ", " <i>scrapyard</i> ", and " <i>filling station</i> ".	RLUMS S1.137	X	X	X	C	C	C	C	C	C
	Signage	Means the making of any name, message or sign by means of lime or paint on the ground.	AN 127 - S1(g)	X	X	X	C	C	C	C	C	C
	Social hall	A <i>building</i> designed for use, or used for cultural activities, social meetings, gatherings and recreational purposes, that is not profit seeking in its primary purpose, and includes a non-residential / <i>private club</i> but excludes a <i>place of amusement</i>	RLUMS S1.140	X	X	X	C	C	C	C	C	C
	Sub-division of land	The sub-division of portions of land 9ha or larger into portions of 5ha or less	EIA Regulations GN 386	X	X	X	C	C	C	C	B	B
	Tavern	Means <i>land</i> or a <i>building</i> designed for or a portion of a <i>building</i> used for the purposes of selling and serving liquor, other beverages and subservient prepared food / snacks, to be consumed on the premises but excluding a <i>place of amusement</i> , provided that the establishment and operation of a tavern shall be subject to a licence in terms of the Liquor Act, 1989 (Act 27 of 1989) as well as a licence in terms of the Business Act, 1991 (Act 71 of 1991) in respect of the sale or supply to consumers of any foodstuff in the form of meals for consumption on the <i>property</i> .	RLUMS S1.149	X	X	X	C	C	C	C	C	C
	Taxi holding area	Means an area, usually off-street, where mini buses (taxis) hold before proceeding to loading points and where generally there is no passenger activity. A holding area can either be included within or separate from a <i>taxi rank</i> .	RLUMS S1.150	X	X	X	C	C	C	C	C	C



## 6 GUIDELINES FOR USE IN EIA PROCESS

The purpose of an EMF as described in legislation mainly relates to the screening and evaluation of EIA applications. This section aims to provide guidelines on how the EIA process should be managed with the assistance of the EMF, as well as providing guidelines for required content of EIA's. As stated in previous sections, the entire MPE is regarded as sensitive and all activities not included in the description of “*compatible activities*” in Table 5.2 require a full EIA process, including as a minimum the specialist studies outlined in Section 6.2, relevant to the specific application.

### 6.1 EIA PROCESS

The so-called full EIA process is prescribed in the EIA Regulations (No. R 385) under sections 27 to 36 as “*Applications subject to scoping and environmental impact assessment*”. Since the EIA process described in the regulations is legally binding it is not within the mandate of the EMF to change the process. However, this section provides some additional considerations for the decision-making framework linked to the different EIA phases, which are important to improve coordinated decision making through co-operative governance within provincial government, as well as between different spheres of government. Figure 6.1 illustrates the recommended EIA process for applications within the MPE.

#### 6.1.1 Who must be involved?

The main role players with regards to the evaluation of development authorizations within and around the MPE are:

- ☐ The provincial environmental authority, EIA section - with the mandate to implement the provisions of the EIA regulations. This implies that they are responsible for the application of the EMF and also the administration and evaluation of the EIA process which culminates in a final decision in the form of a Record of Decision.
- ☐ The provincial environmental authority, conservation section - with the mandate to manage the MPE in accordance with the defined environmental objectives and other provisions contained in the EMF. It is recommended that the conservation section be based in Rustenburg which will ensure good access to the MPE, as well as provide an ideal location from where to interact with stakeholders concerned with the management of the MPE.

Complete documents access:

Magaliesberg Protected Environment Environmental Management Framework and Plan 2007

<http://www.nwpg.gov.za/Agriculture/documents/2016/Environmental%20Policy%20Planning%20and%20Coordination/Magaliesberg%20Protected%20Environment%20EMF.PDF>

Cradle of Humankind EMF embedded in the Gauteng EMF 2015

[https://egis.environment.gov.za/geographic\\_areas/gpemf](https://egis.environment.gov.za/geographic_areas/gpemf)

Magaliesberg Biosphere Management Plan 2011

<https://magaliesbergbiosphere.org.za/downloads/Magaliesberg%20Biosphere%20Management%20Plan.pdf>