

**SWARTLAND**  
**SPATIAL DEVELOPMENT FRAMEWORK**  
**ADDENDUM E**  
**YZERFONTEIN ALTERNATIVE USES**



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## 1. Introduction

According to the Development Bank of South Africa tourism is seen as one of the top sectors to address the challenges of unemployment and poverty in South Africa with the sector accounting for 8.1% of the Gross Domestic Product (GDP) and create approximately 400 000 direct jobs.

Therefore, in planning for tourism, appropriate land use choices need to be made to allow effective use of all the resources to the benefit of the local area and the region. The local land use management tools need to be innovative and need to be influenced by the local Spatial Development Framework in order to create a workable solution. The purpose of this addendum of the Swartland Spatial Development Framework is to assist to support effective land use management in areas that have a strong tourism related resource base. Clear guidelines need to be created that will assist in the effective management of the area that will ensure that the rights of all the occupants are protected.

Tourism is often the engine that drives growth and development in an area and has therefore been identified as a key economic contributor. It is often referred to as “the goose that lays the golden eggs” because of its labour intensity, ability to attract foreign exchange earnings and creation of opportunities for small business participation.

Tourism as defined by the *United Nations World Tourism Organisation* “*comprises the activities of persons travelling to and staying in places outside their usual environment for not more than one consecutive year for leisure, business and other purposes*”.

It is well known that tourism and the uses surrounding the tourism industry can be a strong driver in the local economy. Tourism also drives the Local Economic Development Plan of a local municipality and through the responsible management of the tourism industry it can create many jobs and spin offs in the local community, including supplier development and the demand for certain tourism “products” at tourist destination. Tourism can also assist in “branding” an area and improve the attractiveness of a certain destination for investors. When tourists visit a destination they spend money on accommodation, restaurant, shops, at the local petrol station and other activities. The growth in the tourism enterprises also increases the local rates base for the local authority.

Yzerfontein is seen as one of the main tourist towns in the Swartland where tourist related developments should be supported. According to the Swartland SDF tourist facilities and tourist infrastructure should also be supported and improved in the town. Since the tourism base in Yzerfontein is relatively limited by the small amount of activities provided in and around the town, alternative and innovative ways need to be considered to create more opportunities for the local tourism industry. The focus for development should be on people meeting their own needs through contributing and controlling their own productive effort within the area.

## 2. Opportunities provided by Yzerfontein

Yzerfontein is the only coastal town within the Swartland Municipal area and therefore plays a very important role in the local tourism market as well as providing a second residence for people living in other regions of South Africa as well as overseas. This not only generates growth and economic opportunities within the town but also form an important part of the revenue generated by the municipality.

The beautiful setting of Yzerfontein, its' close proximity to Cape Town, the setting in the surrounding beautiful natural environment, the beach front location, views across the Atlantic Ocean, Dassen Island and Table Mountain all provide tourism related development opportunities. The fact that more people from outside the town have different business interests and contacts and are now owners of properties in the town, has created more opportunities in the local tourism market in recent years.

This resulted in the Pearl Bay area becoming increasingly popular for small intimate home based weddings/parties and photo shoots. The design and locality of these dwellings on the foreshore make them very popular as venues for photo shoots for magazine articles, fashion and decor items as well as for the shooting of movie scenes. This does not only provide a financial contribution to the owners of these properties, with most of the properties being holiday homes, but also results in an added tourism and economic investment in Yzerfontein. The use of these dwellings does not only market Yzerfontein and surrounds in the national context but also results in investment in the local tourism market with spill over effects into other service providers in Yzerfontein and the Swartland.

The use of the dwellings in photographic and commercial film shoots has resulted in the houses and town of Yzerfontein featuring in every major local magazine and has also been printed and aired in Germany, Sweden, the United Kingdom, Holland, France and Russia, to name but a few. This has benefited Yzerfontein immeasurably through local and international exposure and resulted in an increase in local investment in the property market as well as in the local tourism industry.

These activities are co-ordinated by professional events management companies that handle the logistics and activities surrounding the different events.

Currently these uses do not operate within the legal land use framework of the Swartland, with most of these uses operating from residential properties where the primary right is for a single dwelling.

Expensive properties on the seafront present the owners and wider community with certain commercial opportunities. If the use should be restricted solely to residential purposes it would create a very selfish, exclusive scenario that denies the public at large the opportunities to utilise and enjoy the scenic location for uses like photo/film shoot and a variety of functions. These proposed uses should be encouraged due to economic benefits to the local and regional economies. Because of the cost of acquiring seafront properties it is unfair on a social level to not allow for opportunities where members of the public can also experience and enjoy the opportunity to spend time at these locations. It is also unfair to expect people with these assets to, in many cases, only be able to use the properties over weekends or a few times a year, while paying excessive property taxes, a fact which does not make economic or social sense.

Opportunities for alternative uses need to be considered, especially in the light of the potential tourism investment that these types of uses will generate in Yzerfontein and the Swartland Region.

### **3. Proposed Yzerfontein Local Area Overlay Zone**

All properties in Yzerfontein that enjoy Atlantic or panoramic views of the sea and surrounding area make them sought after and also determine their value, should be allowed to consider alternative uses such as photo shoots, film shoots and for use as small venue facilities in addition to the primary use as a residence. The utilisation of these uses should be conducted in such a way that it does not cause unnecessary impact on surrounding properties and the required land use rights need to be obtained.

Activities like photo shoots which have a low impact should be controlled on a more long term basis with the proposed uses to be accommodated in a proposed Local Area Overlay Zone under the new Swartland Integrated Scheme Regulations.

In the case of functions, when permanent commercial rights have not been established, the application criteria should also be accommodated within the Local Area Overlay Zone to be established for Yzerfontein. The duration of these rights could be established during the public participation process of each individual application under the proposed overlay zone.

The Yzerfontein Local Area Overlay Zone should therefore be established as an overlay zone within the Swartland Integrated Scheme Regulations to accommodate and regulate these uses.

The Local Area Overlay Zone as included in the Swartland Integrated Zoning Scheme Regulations provides the following guidelines that should be adhered to when the overlay zone is implemented in Yzerfontein.

**General Policy Statement:**

- (i) *The local area overlay zone is provided as a mechanism to determine specific local land use provisions to reflect local circumstances.*
- (ii) *It is important to note that this zone does not only serve to provide a mechanism whereby more restrictive development control may be exercised. It also creates the opportunity whereby development management parameters may be relaxed in order to promote development and to address socio-economic needs. It may be utilized as a tool to facilitate the implementation of local economic development and urban renewal.*
- (iii) *Public participation and consultation is an important component in establishing a local area overlay zone, whether the initiative to establish the local area overlay zone comes from the community or the Council.*

**Objective:**

*The objective of the local area overlay zone is to provide the opportunity for communities to determine specific local land use provisions to reflect local circumstances. It is recognised that different communities may have different requirements, and that local area identities add to the diversity and richness of the urban and social fabric. The local area overlay zone also provides the Council with the opportunity to determine specific local land use provisions to encourage development in support of the local economy.*

**Provisions:**

*The provisions of this overlay zone are in addition to those provisions which apply to the base zone of the relevant land, and*

- (a) *may be more or less restrictive than the provisions applying to the base zone of the land, and*
- (b) *if the provisions of a local area overlay zone are in conflict with the provisions of the base zone, the more restrictive conditions apply.*

**Designation:**

*The Council may designate an area as a local area overlay zone, and*

- (i) *shall indicate such area on the zoning map;*
- (ii) *shall record the designation in an annexure, together with a cross-reference to any land use provisions which have been approved for the designated area;*
- (iii) *shall record the land use provisions for the designated area in an annexure to these Regulations, and*
- (iv) *may make additions to or omissions from this designation after the procedure as stipulated in Annexure A has been observed.*

From the above it is clear that the desired land uses can be accommodated under the Local Area Overlay Zone (LAO) as per the approved Swartland Zoning Scheme Regulations Bylaw promulgated on 1 April 2014.

#### 4. Proposed Regulations

In order to facilitate these alternative uses within Yzerfontein, the Swartland Municipality needs to establish certain operational procedures that need to be accommodated within the overlay zone. These regulations can include, but are not limited to the following:

- Hours of operation (i.e. only to play music inside the house after 24h00);
- Number of guests allowed at venue/shoot (to be determined by the carrying capacity of the site);
- The capacity and coverage of the site when used for alternative uses;
- Access to the property;
- The locality of the property in terms of Yzerfontein;
- Adequate parking to be provided on site or alternative arrangements to be made, for example provision of transport to and from the facility or alternative arrangements around parking;
- Use and type of music;
- Use of external lighting;
- Along the Atlantic seaboard the sensitivity of dunes systems should at all times be respected, with access to beaches only along existing boardwalks and pathways;
- Provision of adequate ablution facilities;
- Arrangements and time allowed for logistics around the setup and removal of props for the venue facility and photo/film shoots;
- Determine the application procedures and potential tariffs to be paid;
- Council to establish additional application procedures and tariffs for the use of public land (beach/harbour) for weddings/photo and film shoots and parties, in order to regulate these events and to ensure that there will be no detrimental effect on the natural environment and the surrounding residents – this might include the services of an environmental control officer during the operation on public land;
- The timeframe for which the alternative use under the proposed overlay zone is allowed for.

These proposals will in effect allow for more efficient use of land that will also encourage the expansion of the tourism industry in the town and the region, with due consideration of the surrounding living and natural environment.