

**MINUTES OF A MEETING OF THE
FERNKLOOF NATURE RESERVE (FNR) ADVISORY BOARD (FAB)
HELD AT THE ELECTRICAL BOARDROOM
(TOP END MOLTENO ROAD – BELOW R43)
ONRUS RIVER, HERMANUS
ON FRIDAY, 23 AUGUST 2019 at 09:00**

**Please refer to the last page for acronyms used in the Minutes*

1. Welcome, Attendance and Apologies

Present: Duncan Heard (DH) [in the Chair], Tarron Dry (TD) [Biodiversity Conservation Manager: Overstrand Municipality], Lee Burman (LB), Glynis van Rooyen (GvR), Linda Griffiths (LG), Frank Woodvine (FW) [CPMG], Hanneen van der Stoep (HvdS) [Town Planner: Overstrand Municipality], Giorgio Lombardi (GL) [Vogelgat], Grant Gillion (GG) [Law Enforcement: Overstrand Municipality], Kari Brice (KB) [Councillor]

Apologies: Nicolette Lloyd (NL), Muthama Muasya (MM), Liezl de Villiers (LdV) [Environmental Manager: Overstrand Municipality], Anthony van Hoogstraten (AvH), Heloise Fortune (HF) [Secretary: Environmental Management Section], Andrae Marais (AM) [Cape Nature]

Welcome: DH opened the meeting and welcomed all present. DH noted that Giorgio Lombardi was attending as a *secundus* for Antony van Hoogstraten. DH pointed out that he was not informed of this beforehand and pointed out that nowhere was provision made for *secundi*. Giorgio was however welcome to stay for the meeting and take part in discussions.

The Chair informed all that he will not follow the agenda, as in the time available, he would firstly like to focus on the more important matters.

With regards to the appointment of Pat Miller to FAB. DH read the email from Liezl de Villiers to the board; *“The FAB submission to Council for the appointment of Ms Miller as Vice Chair to the Fernkloof Advisory board has not been accepted and the final decision rests with Council. Ms Miller will not be able to attend the next FAB meeting and we will forward her a letter of council’s decision within next week. The reason for this is as follows: According to Section 2 of the By-law there should be not less than seven or more than nine members on the Fernkloof Advisory Board. At the moment the total number of the FAB members is 10 and therefore there is one member too many. Unfortunately, we will also not be able to appoint Pat Miller as the Vice-Chair of the FAB because of the above and therefore a Vice-Chair needs to be filled by the members currently occupying the positions on the FAB. My office should not have allowed Ms Miller to attend any FAB meetings until she was officially appointed by Council and I will personally apologise for the confusion this has caused. We have however made it clear that she had to first receive the letter of appointment from Council before the position was official, I do not have the authority to approve such a decision.”*

LG stated that is willing to resign in order for Pat Miller to take her position.

DH noted that with five FAB members present. Either way, this formed a quorum.

He also asked TD to follow up with Liezl to please clarify the bylaw matter, including the amendment of the bylaw to align with the Ordinance. **TD**

2. Confirmation of Minutes for the Meeting of the FAB held on 24 MAY 2019 **HF**

2.1 Confirmation of Minutes and Public Availability

The minutes were made available to the public.

2.2 Comments from Council on the FAB Minutes dated 24 MAY 2019 **KB**

Stand over for feedback at the next meeting.

3. Matters Arising

3.1 Amendment of Bylaws relating to the FNR and the FAB/Re-declaration of the FNR: TD/DH

Stand over for feedback at the next meeting.

3.2 Provincial By-Pass Road TD

Stand over for feedback at the next meeting.

4. Administration

4.1 FNR Protected Areas Management Plan (PAMP) TD

Stand over for feedback at the next meeting.

4.2 FNR Riparian Zone Damage TD

TD reported that they initially left this area to rehabilitate itself. They received a notice from DEA&DP that they will have to start a rehabilitation process according to an approved Rehabilitation Plan.

4.3 FNR 2019/20 Budget & Management Reports TD

Stand over for feedback at the next meeting.

4.4 World Heritage Expansion Motivation Compilation/ BOTSOC lease area – Cultural Heritage Site DH

Stand over for feedback at the next meeting.

5. Standing Items

5.1 Enforcement: TD/GG

DH noted that for the last year and a half no FNR Safety Forum meetings had been held. He does not want to see the same situation where someone has to be attacked or robbed in the reserve for the safety forum to be brought to life. While the forum was in place very few incidents occurred in the reserve. He further noted that the reserve manager at that time seldom attended the safety forum meetings and it is vital for the reserve manager to be present at the meetings.

GG will bring it under his Senior Manager's attention as a priority to discuss with Director Michaels.

ACTION: GG and TD will drive the reinstatement of the FNR safety forum.

GG noted that in order for law enforcement to be effective in FNR amendments to the Municipal bylaw has to be made. Currently there is no legislation pertaining to nature conservation in place to enforce the law in FNR. DH suggested that the Field Rangers with the peace officers certificates can do patrols together with Law Enforcement and work hand in hand.

TD reported that the training with Cape Nature and the Field Rangers was scheduled for next month.

TD and the Field Rangers had a meeting with the Municipal Court Prosecutor. She has prepared documentation for them on which bylaws they can implement. The Prosecutor is also aware that amendments to the bylaws will have to be made.

GL commented that he is currently putting measures in place for hikers so as to reduce the risk of them getting lost in the reserve. Hikers for instance will need a cell phone that is fully charged with data, and a safety/tracker app installed on their phone, etc. TD suggested that the What3Words App (EMR) can be used. GG requested maps of Vogelgat as they are not as familiar with the reserve as they are with FNR.

5.2 Hoy's Koppie

TD/GG

GG noted that they are currently in cooperation with EMS arranging operations for Hoy's Koppie. He and other law enforcement officials went on Wednesday to do a walk about. They did inspect the cave and noticed litter and bottles lying around. He noted that the operations will be ongoing.

LG thanked TD and GG for the work they are doing as she can see that what they have implemented is working.

6. Ecological Management Issues

6.1.1 Baboon Virtual Fence / Baboon Electric Fence TD/KB

Stand over for feedback at the next meeting

6.1.2 Event Applications

TD

Flower Festival – 21 till 24 September 2019.

6.2 Research

TD

6.2.1 Research Applications

Stand over for feedback at the next meeting.

6.3 Klein River Estuary Management

TD

Stand over for feedback at the next meeting.

6.4 Reports from Hermanus Botanical Society (BOTSOC)

LG

LG had circulated the latest report to the FAB.

6.5 Reports from Cliff Path Management Group (CPMG)

FW

Kari Brice noted that the launch of the new CPMG brochure went great and it was well received. The brochure is dedicated to the late David Beattie.

TD noted that the access to Rietfontein has been neglected and they want to reinstate it. They are looking at different alternatives.

DH stated that requests to selectively burn sections of the coastal or remove certain indigenous species had to be soundly motivated based on good science and needed to explain how such management actions may contribute to the FNR objectives for conserving the coastal thicket.

LBN on behalf of FAB thanked FW for all the work that he is doing.

DH noted that FW is most welcome to sit in on future FAB meetings to provide feedback on the work of the CPMG.

7. General

7.1 Dogs in FNR

TD

Stand over for feedback at the next meeting.

7.2 Stanford Trunk Road

TD

Stand over for feedback at the next meeting.

7.3 METT (Management Effectiveness Tracking Tool)

DH

DH noted that this exercise will have to stand over as too many members are not in attendance.

DH read through the chapter on the management nature reserves and the achievement of the Norms and Standards as expressed in the Protected Areas Act. The METT largely interrogates and expresses how effective a protected area is managed to achieve these particular aspects.

CHAPTER 2 NORMS, STANDARDS AND INDICATORS

Relative importance of the protected area established
 The protected area is planned to meet its objectives
 The protected area secured in terms of legislation
 The boundary of the protected area is properly demarcated and secured
 Law enforcement is effective
 Planning outside the boundary to secure the protected area
 Relations with neighbours is sound
 Management plan of the protected area is implemented / planned to achieve agreed objectives
 Research and monitoring programme complements the management plan
 Human resources support the implementation of the management plan
 Financial management is effective
 Administrative systems ensure effective management
 Infrastructure and equipment is in place
 Environmental education, awareness and communication programme
 Visitor facilities contribute positively to visitor experience
 Performance evaluation system is effective
 Socio-economic importance of the area is enhanced

7.4 Hermanus High School – XCO MTB

TD

TD Reported that the Hermanus High School has requested that they would like to have a formalised mountain bike trail at the area above the cemetery with the spectator side at the bottom which is further away from FNR. The High School is looking at Mountain Biking as a sport for the school. The Hemel & Aarde valley is not safe for children and there is no place for spectators. He forwarded the request to DH. The reason it was not distributed to FAB yet because it was just a basic request and is not out for comment at the moment. The critical point is that the line that he has for the FNR boundary is the rental agreement line with the Sport Centre and a certain part of this trail runs just above that line. It is on a flat piece it does not have high inclines. It is a currently used and they would like to formalise it's use as a maintained MTB trail.

DH noted two critical things;

- It must be determined where the FNR boundary line is.
- Whether it would require a Basic Assessment Report.

If TD can provide feedback on the above two points then FAB can comment.

The High School would also have to put in a consent use application.

7.5 Draft Western Cape Biodiversity Bill 2019

DH

DH noted that he saw nothing about local nature reserves in the 2019 Draft Western Cape Biodiversity Bill. There is only talk about an 'Advisory Committee' in terms of the Protected Areas Act that may be established. The make-up and functions of such an Advisory Committee is completely different to that of an Advisory Board established in terms of the Ordinance.

He had commented on the Bill and forwarded it to Marlene Laros of the Provincial Department dealing with the Biodiversity Bill. (DH comments will be attached to the minutes).

7.6 Green Flag status for FNR Hiking Trails

DH

DH commented that some of the annual events use the FNR hiking trails. There is however no plan or resources in place that will ensure that the trails are effectively maintained. There are 60km of trails in FNR which are not managed effectively. Essentially these trails were not designed for event but for day visitors to hike on.

Trails get used in different ways so different areas should be treated differently. The Drakensberg Park has 100s km of trails and it was a big concern for them and KZN Wildlife has started with monitoring and sourced Professor Leon Hugo (ex-University of Pretoria) to assist them to assess the state of their trails. He has created an evaluation system for trails. The evaluation system will assess how badly eroded or aligned a trail is. It is a computerized programme. It will be a tool that the manager can use to plan and motivate for adequate budget to maintain and manage hiking trails properly. Leon Hugo is also the chairperson of the Green Flag hiking trail component of the Hiking Trail Association of South Africa. Where Green Flag status has been awarded to a hiking trail, it is important that within a year, improvements/maintenance have to be made to improve that

trail. If no annual improvement is recorded, the Green Flag status gets taken away - the same concept as for the Blue Flag status beaches.

DH recommends working towards a green flag status as it will help management provide a motivated report for creating capacity and budget so that the trails can be looked after. The trails are the biggest attraction in FNR. DH concluded that he and TD will pursue this with Leon Hugo to ensure that a proper management tool is in place to monitor and maintain the trails. Leon Hugo will however only be able to attend to FNR in the first quarter of next year. DH and TD will provide feedback on this process at the FAB meetings.

DH/TD

7.7 De Mond – Crown Grant Development

DH

DH wanted to know the layout map that was circulated if it is final or if it is out for comments. HvdS noted that it is out for comments and that the public participation is open until 6 September 2019. TD noted that EMS will comment after the public participation process.

DH commented that there is a building right on the reserve boundary. The wall is on the fence right next to the Scout Camp.

ACTION: TD to investigate if it is an existing building and if it is the reserve on the other side of the fence.

GL commented that due process did not happen as Vogelgat and Hermanus Lagoon Property Owners Association as I&AP were not notified. HvdS commented that according to the Land Use process due process was completed the public has until 6 September 2019 to comment.

8. Date of Next Meeting: 22 November 2019.

Acronyms:

AVM – Alien Vegetation Management

BAR – Basic Assessment Report in terms of the national Environmental Management Act Environmental Impact Assessment Regulations (2014 – as amended)

BOTSOC – Hermanus Botanical Society

CPMG – Cliff Path Management Group

DEA&DP – Department of Environmental Affairs & Development Planning

EA – Environmental Authorisation

EIA – Environmental Impact Assessment

ECO – Environmental Control Officer

EMS – OSM Environmental Management Section

FAB – Fernkloof Advisory Board

FNR – Fernkloof Nature Reserve

IMP – Integrated Management Plan

IAV – Invasive Alien Vegetation

MFMA – Municipal Financial Management Act

MTB – Mountain Biking

NEMA – National Environmental Management Act

NEMPAA – National Environmental Management Protected Areas Act

OSM – Overstrand Municipality

PAMP – Protected Area Management Plan

PPP – Public Participation Process

SCM – OSM Supply Chain Management

WCC – Whale Coast Conservation