

Module 2.6 PUBLIC RECREATION		STATEMENT OF INTENT Recreational facilities for the public are provided on a voluntary basis where appropriate
Measures		Notes
<b>Legal requirement</b>	<p><b><i>The law does not oblige farmers to make land available for the uses outlined in this section but if they do, they must comply with the applicable laws. Any public access may expose farmers to liability for claims if someone using that access is hurt or killed or suffers harm in some other way.</i></b></p> <p><b><i>Public use of land for recreational use is available on the farm on a voluntary basis</i></b></p> <p><b>Facilities for public use exist:</b></p> <ul style="list-style-type: none"> <li>• Growers should be familiar with the obligations associated with allowing public access to their properties</li> <li>• Toilet facilities comply with requirements of applicable municipal by-laws</li> <li>• Where re-establishment of indigenous wildlife (mammals, fish) has occurred, it has been done in accordance with the legislation</li> </ul>	<p><b>Public recreational facilities</b> Recreational facilities could be developed where suitable opportunities exist. The main objectives of providing recreational facilities are to dispel the impression that areas of unplanted land are not utilised and to use the opportunity to overcome negative public perceptions about sugarcane farms. However, public access can bring a host of problems for the cane farmer and it will be necessary to look at all the ramifications before proceeding.</p> <p>Land use planning laws for the province may require the farmer to get permission from the municipality for a different use of agricultural land. If the land falls within the land use / zoning scheme for the municipal area, restrictions may exist for the use of the land. Proper planning will help to reduce the possible problems. It is preferable to involve clubs rather than individuals, as this will increase expertise and reduce problems.</p> <p><b>Fishing</b> In many cane areas, streams and rivers provide high quality angling. Care is needed to ensure that well-intentioned management measures do not have detrimental side effects.</p> <p>Weirs designed to improve carrying capacity must be carefully sited to avoid siltation due to the reduction in velocity. If weirs are built, gabions or similar type structures should be used and banks reinforced where there is a danger of side cutting. A central overflow should be provided, discharging into a pool of reasonable depth from which fish will be able to move upstream Dams are regulated by the National Water Act, 36 of 1998.</p> <p>The introduction of fish is subject to obtaining permission from the relevant provincial authority, and this procedure should be strictly adhered to. Where the fish is a protected, alien or invasive species, additional permission is required in terms of the National Environmental Management: Biodiversity Act, 10 of 2004. In the interests of indigenous fish conservation, the release of exotic angling fish is not permitted in some regions. Indigenous species present should be identified before introductions are considered.</p>

<b>Legal requirement</b>	<ul style="list-style-type: none"> <li>• Suitable 'exclusion of liability' signs should be clearly displayed</li> <li>• Farmers should control public access for reasons of security and fire protection</li> </ul>	<p><b>Dams</b></p> <p>Dam sites should be carefully chosen and be selected so as to avoid wetlands. The dam will constitute a water use in terms of the National Water Act, 36 of 1998 (Section 21(a), (b) and (c)) and a water use licence will be required. In addition, the dam may require an environmental authorisation in terms of the National Environmental Management Act Regulations published under sections 24 and 24D of that Act. Use of vleis, marshes, water sponges and water courses is also subject to authorisation under the Conservation of Agricultural Resources Act, 43 of 1983 - Regulation 7 published in terms of section 29 of the Act.</p> <p>Environmental authorisation in terms of the National Environmental Management Act, 107 of 1998 as well as authorisation in terms of the National Water Act, 36 of 1998 (in the form of a general authorisation or water use licence) is required before any weir or other structure within or near to a watercourse is built.</p> <p>Dams with irregular shorelines and areas of shallows are more productive of wildlife than those that are deep and steep sided. Islands should be constructed where possible to provide safe nesting sites for waterfowl. If the public are given access to dams, suitable exclusion of liability signs should be clearly displayed.</p> <p><b>Signage</b></p> <p>Suitable exclusion of liability signs should be clearly displayed in all areas of the farm to which the public has access. Necessary facilities such as signboards, picnic tables, braai facilities, toilets and dustbins, will cost money. Advice should be sought from the relevant conservation services as well as the relevant municipality in respect of any requirements of municipal by-laws. Protected species must not be endangered through public use of the land.</p> <p><b>Access control</b></p> <p>The need to control access for reasons of security and fire protection can be integrated with recreation by:</p> <ul style="list-style-type: none"> <li>• limiting access to certain times of year</li> <li>• providing game guards/field rangers</li> </ul> <p>working through organisations such as angling, hunting, hiking or bird watching clubs and youth groups, and requiring the organisations to assume part of the responsibility of controlling the activities of their members</p>
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<b>Better Management Practice</b>	<ul style="list-style-type: none"> <li>Trails for public use are designed and maintained to minimise soil loss</li> </ul>	<p><b>Hiking/mountain biking</b>          Since the level of use generally increases progressively once hiking or biking trails have been established, they should be carefully designed at the start to reduce the danger of subsequent erosion and deterioration. Adequate provision must be made for toilet facilities, campfire sites and firewood.</p> <p><b>Information and education</b>          Simple notice boards, maps and handouts should be used to inform visitors not only about the natural assets of the estate, but also about associated cane production and environmental conservation measures.</p> <p><b>Maintenance</b>          Regular maintenance is a basic requirement in the management of recreational facilities listed and any other similar facilities.</p>
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