Section E: Hamerkop Mountain Trust policies

E.1 Hamerkop Mountain Trust (HMT)
FIRE MANAGEMENT AND PROTECTION POLICY
(Revised November 2021)

1. PREAMBLE AND OBJECTIVES

Current thinking on fire management recognizes that veld will burn sooner or later, and that it needs to burn from time to time, but that fire frequency and conditions at the time of burning should be managed as far as possible.

The goal of the Hamerkop Mountain Trust is to achieve the set of objectives outlined below, while protecting our neighbours from fires spreading from our property. This goes beyond the objective stated in the original Hamerkop Trust Deed (1987), "to combat mountain, forest and veld fires" (TD 2.4.1), and also those embodied in the National Veld and Forest Fire Act (1998) and its regulations, hereinafter referred to as the ACT.

1.1 The HMT's primary objectives

- To minimise the risks involved in fire on HMT land.
- To protect people, buildings and the property of beneficiaries, from such fire.
- To manage fire in a way that promotes biodiversity while reducing the fuel-load level.
- To comply with the ACT, with special attention to obligations and liabilities related to fires originating from or moving across properties.
- To achieve all of the above in a spirit of responsible ownership and good neighbourliness;

1.2 Additional factors informing the HMT approach to fire management

- Fires are an intrinsic feature of African savannas. They will inevitably be lit by people or lightning. The longer they are excluded, the more dead vegetation accumulates and the risk of hotter, more damaging and harder to control fires increases. This risk is higher with naturally occurring fires which tend to occur with high winds and high temperatures.

- The combustible fuel-load will be monitored annually by a professional ecologist and action taken accordingly. An appropriate fire interval in the Magaliesberg would normally be about three to five years, longer than this increases the fire risk to people, flora, fauna and infrastructure.

- We recognize that a controlled burning programme is the best way to achieve less intense fires, thus reducing the risk of fire damage. However, the HMT does not have a resident on the property to make the critical decisions about the timing of burns, or the labour and expertise necessary.

- **When fire enters our land, we do not want it put out** despite its inconvenience to the beneficiary in residence. The timing is then a matter of chance rather than decision by a management unable to assess daily burn conditions.

- If we have not had a fire in more than three to five years, and professional monitoring indicates the need to address our fuel-load, the necessary services will be hired.

- Because we also lack the capacity to burn the firebreaks required by the Act, we will try to obtain the assistance of our resident neighbours to burn our side of our boundaries while burning theirs. If this is not possible, we will keep the vegetation on our boundaries cut low enough to act as a firebreak.

- Most of the HMT property falls within the Magaliesberg Protected Environment (MPE). Given the risks associated with suppressing fire for too long, we advocate that all adjacent owners of property in the MPE act collectively to obtain ministerial exemption from firebreak obligations in this area (especially on the mountain and in the kloofs) in terms of 4.15 of the ACT. We would all still carry the responsibility for protecting areas outside the MPE by preparing firebreaks on our boundaries with these areas.

- The Trust is not insured against beneficiary or employee claims for damages incurred during firefighting and neither beneficiaries nor employees may be instructed to assist with firefighting or firebreak burning.

- Controlled grazing might have some application as an option for reducing the fuel-load of moribund grass in the absence of resident supervision. It could be considered if suitable fencing and supervision were to be included in the proposal.

- Records are to be maintained of all discussion and agreements with neighbours concerning our boundaries, and also of any fires on the property and related action taken.

2. SAFETY OF PEOPLE AND PROTECTION OF BUILDINGS

2.1 Keeping buildings clear of combustible material

We have been advised that the fire risk to buildings in our type of bush environment (as opposed to bush mixed with wattle, pine or other exotics) is very low, even in windy conditions, particularly if buildings are made of solid stone with very little exposed wood as at Hamerkop.

If the area around our buildings is kept clear of dead wood, dry grass or other flammable material, the risk is further decreased. **Therefore, a combustible-free zone of 10m around our house, caretaker's cottage, parking slab and tank stand is to be maintained at all times** – this includes ensuring that there is no build-up of dead wood in the bush canopy within this area.

2.2 MCSA parking and camping area

Camping is at own risk but the grass is to be kept cut.

2.3 The safety of beneficiaries and employees during a fire on the property

In the event of a fire, beneficiaries and employees should have a protocol advising them:

- There is no need to panic or evacuate the property
- Immediately contact one of our fire representatives whose names and numbers are listed in the protocol on the notice board. They will alert the neighbours, allowing them to take further protection measures on their own properties and possibly back-burning onto ours. They will also remind neighbours to respect our request not to fight fire on our land, as discussed with them at the time of firebreak burning.
- Do not attempt to fight the fire, it is not necessary or desirable.
- Park cars in the centre of the concrete apron.
- Fill the water tank in case neighbours need to use it
- Stay in the house or on the concrete slab
- Keep phones on

2.4 The safety of beneficiaries or employees assisting neighbours with firebreaks or controlled burning:
No beneficiary or employee will be requested to assist with such burning. It is only to be done by our neighbours in terms of 3.1 below, with our financial support, or by arrangement with service providers.

3. LEGALITY AND GOOD NEIGHBOURLINESS

3.1 Firebreak preparation (burning/slashing):
We will be party to firebreak preparation on or near to all our boundaries as required by the ACT, except where we are covered by ministerial exemption allowing for some unprotected boundaries within a demarcated block such as the MPE.

Our firebreak strategy will have the following objectives:
- to avoid fires on our property spreading onto neighbouring land which is not considered part of the exempt block referred to in 1.2 above;
- to provide a safe area from which our neighbours can back-burn into our property if they consider it necessary;
- to use slashing rather than burning to prepare firebreaks unless a neighbour is prepared to manage the process on our behalf;
- to foster good relationships with our neighbours;
- to cover our statutory obligations.

Burning of firebreaks will only be done in terms of agreements negotiated with a neighbour in which they (or their representatives) **undertake to burn on both sides of our shared boundary** and in line with all the provisions of the ACT.

Firebreak agreements must be renewed/endorsed annually **by the end of April,** and be recorded in an **Agreement Record** (with names, time, place etc.) to be available to the chairperson of the NMC at all times. Such agreements must:
- place the precise timing of the burn in the hands of our neighbour (within agreed parameters);
- place the communication obligations of the ACT in the hands of the neighbour. People to be informed include the RGKB, all other neighbours concerned, the beneficiary in residence and also the representative of the Trust specified in the agreement. A Trust representative should be present during burning if possible;

- arrange for the sharing of costs. If necessary, we will accept a greater proportion of costs to compensate for our lack of capacity to provide physical assistance.

3.2 Calls for assistance from neighbours or community organisations
We can help neighbours trying to control wildfire in the district in many ways without being involved in firefighting, e.g. with communications, first aid, transport, refreshments and keeping our gate open and our water tank full for the filling of their equipment.

As members of our local community organization (RGKB) as well as the GRFPA (Greater Rustenburg Fire Protection Association), we may be called on to volunteer for firefighting or burning of firebreaks. If beneficiaries feel they are fit enough and have had the necessary training and experience to volunteer safely, we would encourage them to do so, but it is entirely at their own risk.

4. FIRE INSURANCE

A neighbour would not be able to successfully sue the HMT for a run-away fire coming from or through our property if we have complied with a joint agreement for our common boundary, in terms of 3.1, for which we have a full written record.

Hamerkop's buildings are covered against fire damage but not against negligence, so as well as managing our fuel-load, maintaining a combustible-free zone, displaying fire warning notices during fire season and preparing firebreaks, **we will apply a No Smoking rule on our land except in designated areas.**

Beneficiaries would not be able to claim against the Public Liability section of our insurance policy on behalf of either themselves or their guests. The property is in the name of the Trust which is made up of all the beneficiaries, and you cannot claim against yourself. Guests would also not normally have any recourse to the Trust and should be informed accordingly.

5. IMPLEMENTATION

The HMT is responsible for the implementation of this policy, including

- taking the action necessary to obtain a collective ministerial permit providing for an exempt block in terms of Chapter 4 Section 13 of the ACT;
- appointing a fire management representative to conclude and record the annual firebreak agreements referred to in 3.1 with our neighbours;
- the appointment of an agent (RGKB or other suitable party) to maintain the equipment and personnel required by Chapter 5 Section 17 of the ACT;
- communication of this policy to all concerned (beneficiaries, employees, neighbours and community fire organisations) **with annual reminders during the fire season;**
- ensuring that all the related financial contributions are paid timeously every year (to the RGKB, GRFPA and our neighbours);
- keeping the contact details referred to in 2.3 updated and prominently displayed on the noticeboard in the house together with this policy and its related action protocol.

E.2 Hamerkop Mountain Trust
POLICY FOR MANAGING VEGETATION
(Revised April 2006)
(Partially revised February 2025)

1. Aims

The aims of this Policy are:

- to conserv the indigenous* nature of the vegetation as far as possible;
- to ensure the safety and reasonable comfort of people using the property;
- to provide implementation guidelines for both the Management Committee (MC) and individual beneficiaries.

2. Guiding Principle

The basic principle guiding any action affecting vegetation should be one of **minimal interference.** Vegetation anywhere on the property should be left alone except in the following cases.

3. Access

Obstructions need to be dealt with to ensure safe and reasonably free passage for both cars and people while observing the above principle as far as possible.

3.1 Established paths and roads.

These require ongoing MC attention and the beneficiary in residence is encouraged to assist by taking the following action

- moving branches or trees which have fallen across the road (secateurs and saws available in the store room if necessary);
- **discreetly** trimming vegetation along established paths, or moving fallen branches, to make unimpeded single-file passage possible;
- assisting with path maintenance via the simple placement or replacement of appropriate rocks;
- reporting to the MC any action needing to be taken which the beneficiary has not been able to undertake.

3.2 New paths or roads

They may be established by the MC provided that beneficiary support for the idea is clearly demonstrated. Apart from the existing stone and concrete pathways, all paths are to be kept simple (e.g.Merv-style), single-file and in line with the minimal interference principle.

4. Safety

Where a tree in the living area constitutes an immediate and serious threat to the safety of people or the structure of the house or domestic quarters, **the beneficiary in residence** would be expected to take the minimum action immediately necessary and then report the matter to the management committee. This does not include scraping on the roof, catching on ankles or hanging in faces – these have nothing to do with safety and can be dealt with by simple trimming.

5. Management of vegetation as it relates to fire

5.1 Keeping the "fire protection zone" (ie the area within a distance of about 15 metres of the house and caretakers quarters) clear of combustible material.

This involves a difficult set of trade-offs because of the important role of dead wood in the lives of birds, insects and other animals and in the regeneration of vegetation. We take the view, however, that safety considerations must take precedence. This involves:

- **Keeping to a minimum any dead wood lying around on the ground in this zone.** This is an ongoing job and the beneficiary in residence is expected to move dead wood out of the zone. A small amount of short chopped wood may be tightly stacked against the west wall of the house for the stove in Winter.
- **Keeping the grass and weeds in this zone cut.** In this regard, beneficiaries can help by participating in work parties and/or offering to carry out management committee instructions independently during their weeks. The best time for weed cutting is usually after the first flowers appear and before seeding.
- **Preventing loose dead wood from building up in the bush canopy in this zone.** Again beneficiaries willing to work in line with MC instructions can provide valuable assistance.

5.2 Accepting that the veld on the rest of the property must burn from time to time.

The HMT Fire Management Policy explains why burning is necessary. Wild fires burning on the property should not be extinguished, they should normally be welcomed for their part in reducing fuel-load build up. Neighbours are welcome to back-burn on our property <u>but not to put fire out.</u>

5.3 Burning firebreaks in conjunction with our neighbours.

Controlled burning of firebreaks will be undertaken in line with our Fire Management Policy (as part of agreements negotiated with our neighbours). Occasional block-burns may also be undertaken in accordance with 4.2 of the above policy.

6. Environmental damage

Where the natural vegetation has been damaged, such areas should normally be left to re-establish themselves; a decision to intervene in the process should only be taken after careful assessment by the trustee responsible for conservation.

7. Alien vegetation

Alien vegetation should be reported to the management committee and removed under their instruction, unless it serves as part of a cycle of restoration (e.g. weeds like khakibos which should be cut as described in 5.1 and not pulled out).

8. Maintaining the view of the Kloof

Pruning for this purpose is the responsibility of the management committee - to be carried out under their supervision**.**

9. Gardening*

The area which has been zoned for gardening next to the house should only feature suitable* indigenous* plants. **No planting of any kind may be carried out on the property** except under the supervision of our conservation specialist.

* indigenous = indigenous SA vegetation growing naturally in the Hamerkop area
gardening = management of vegetation according to agreed policy (not beautifying)
suitable = occurring right next to the damaged area or in an ecologically similar situation

E.3 Hamerkop Mountain Trust
WATER MANAGEMENT POLICY
2009
(partially revised February 2025)

1. Purpose of this water management policy

This policy serves to confirm the Trust's commitment to the MCSA's objectives regarding the protection and preservation of the natural beauty of the mountains and the natural water supplies in South Africa in a spirit of responsible ownership and good neighbourliness. It also puts on record the Trust's commitment to good conservation practice in general, including the notion of minimising our ecological footprint in the Magaliesberg.

2. Preamble

Responsible water management involves technical, legal and ethical issues. The basic technical issues relate to sustainable use and preservation of water quality and the legal issues require application of the letter and spirit of current legislation. The ethical issues are more complex in that they are concerned with different perceptions of when usage can be regarded as "legitimate" or "necessary", what kind of example we would like to set our children and neighbours and how our behaviour is perceived by others in relation to our commitment to good conservation practice.

The use of an aquifer is an especially sensitive matter as it has the advantage of extra protection from evaporation and pollution, and is therefore regarded as a particularly valuable source of water. "Unnecessary" extraction is regarded as degradation of a natural resource.

3. Preservation of quantity and quality of ground water

Our experience to date does not indicate any technical reason to restrict our water usage below our current level. Nevertheless, ethical reasons for avoiding "unnecessary" use will always apply.

Long-term management of sustainability also requires that technical information relating to the borehole, (e.g. total depth, seasonal rest level, draw down and recovery rates), as well as water quality should all be determined. Seasonal yields should be monitored on an ongoing basis.

Based on the above, consideration might need to be given to the installation of rain water collection tanks to supplement ground water, particularly if lawns are to be maintained.

4. Use of groundwater

- **For watering:**

Lawns require watering. Expert advice suggests that they should be watered when they need it and watered fairly deeply, especially when they are re-establishing themselves

after winter. Surface wetting is never good for lawns. Thereafter, once greened up and healthy they need the equivalent of 25mm of rain by artificial watering per week. The lawn in front of the stoep gets heavy wear so needs more than the others. Watering is only to ensure a thorough and even wetting, flood irrigation is not necessary.

- **For household purposes:**

The shower heads have been chosen with responsible usage in mind. Beneficiaries are expected to use baths and the shower responsibly. All taps and toilets should be well maintained to avoid leaking valves and unnecessary ground water loss.

- **For swimming:**

If a decision is made to allow the reservoir to be filled for recreational purposes, the number of times it is filled and emptied should be kept to a minimum. Its position means that run-off (over the top or by directing the flow when it is drained) does not reach the river system, it simply waters the surrounding vegetation unnecessarily. The existing outlet can however accommodate a hose-fitting for watering the lawns without waste when the pool is being drained. The cost of a biological cleaning system would be enormous; and the chemicals and constant skilled attention demanded by any other kind of system mean that a permanent pool is not an option.

5. River water

- **Our use of river water:**

The basic ethic is never to sully the water. The natural attenuation capacity of the river will probably handle suncreams but shampoo should never be used in our pool or river.

- **Our neighbours' use:**

It is currently used by both Mr Jacques Cilliers (gravity pipeline) and Messrs Quintin Scorgie and Andre Cilliers – the latter two neighbours on the basis of an annually renewed agreement. Mr Swanepoel has no permission to abstract water from anywhere on our property. Vigilance and a proactive response are required if any changes in neighbour activity in relation to the rivers on our property negatively threaten the status quo.

6. Insurance if reservoir is ever allowed to be used as a pool

The beneficiary in residence (or previously in residence if the 'new' beneficiary has not yet arrived) would need to accept responsibility for any drowning incident and be prepared to be prosecuted for negligence. All beneficiaries would thus need to indemnify the Trust accordingly. They would not be able to claim against the Public Liability section of our insurance policy on behalf of either themselves, or other people (e.g. uninvited children wandering onto the property).

(Note: The trustee decision of 4/12/2009 that the reservoir is not to be used as a pool or filled with water D 10)