



**NATIONAL ASSOCIATION OF CONSERVANCIES AND  
STEWARDSHIP OF SOUTH AFRICA  
(NACSSA)**

**POLICY DOCUMENT**

**AGRICULTURE**

NOVEMBER 2005  
(Last Revised: August 2015)

## BACKGROUND TO THIS DOCUMENT

It was mooted at a sitting of NACSSA, during May 2004 at Itala Game Reserve in Kwa Zulu Natal Province, to create a policy document, which would acknowledge NACSSA's stance on the **agricultural sector**. The first draft was presented to a follow up sitting of NACSSA at Willem Pretorius Nature Reserve, Free State Province, in November 2004. A resolution regarding the document was deferred by the, then, chairman of the sitting. No Reasons were cited. The issue of this document was again tabled on the agenda of the following sitting of NACSSA, held at Sudwalakraal, Mpumalanga Province in May 2005, however, due to some delegates not having a copy of the document to enable proper discussion thereof, it was resolved that the document would be circulated electronically to all committee members prior to the November 2005 sitting of the committee for final comment prior to a resolution being sought on the subject at the above mentioned sitting.

In June 2005, the author of this document re-circulated a copy electronically, requesting feedback, discussion, and/or criticism thereof to enable the compilation of a follow-up draft for tabling at the November 2005 sitting at Willem Pretorius Nature Reserve. Two comments were received prior to the closing date.

On the 17<sup>th</sup> November 2005, during a sitting of the NACSSA committee at Willem Pretorius Nature Reserve, this document was accepted and ratified, subject to three corrections. The following is the document *mutates mutandis*.

## INTRODUCTION

The agricultural sector uses approximately 80% of South Africa's 120 million hectare land surface, incorporating some of our country's most sensitive ecosystems.

Many of our country's farmers are indeed worthy land stewards, unfortunately with ever increasing financial, resource and manpower burdens as well as restitution concerns placed at the foot of our agricultural industry, many farmers are forced to ensure that every portion of their land becomes financially productive. This can negatively impact on our biophysical environment as historic land sensitivities, borne from generations of family members working a farm, may be forced to neglect the pride they once felt in their land in favour of maximizing output at all costs in order to remain solvent, in effect morphing a way of life into a series of "land factories". The consequences of this changing mindset may lead to an "only if it pays can it stay" ethos which negates the concept of inherent natural capital.

It is acknowledged that, historically, nature conservation and agriculture have been polarized. This, however, is changing through the realization that co-operative land management holds benefits for all land users.

NACSSA therefore believes it can fulfill a vital role in supporting and assisting the agricultural industry with respect to best land management practices and, in turn, there

is a wealth of stored knowledge which can be gained from farmers which can be of great importance to those working in the field of nature conservation. It is with this in mind that NACSSA strives to create a communicative platform where the respective interests of nature conservation and agriculture can find common ground and progress in a meaningful partnership.

This policy document is therefore intended as a framework in which to aid NACSSA and individual conservancies who interface with the agricultural sector. This document does not attempt to develop detailed sectoral policies, for example on problem animal control or methods of controlling alien invasive plants, but rather, it strives to create an holistic, corporate viewpoint, within which more detailed policies and strategies can be developed. Thus this document should not be a static one and should be used to meet changing perspectives in the scientific, political and legislative arenas and should be malleable enough to encompass new and dynamic viewpoints.

## **LEGISLATION**

NACSSA supports that all agricultural activities undertaken must be executed in accordance with the laws of the Republic of South Africa.

In this context it is salient to draw attention to what the supreme law of the Republic has to aver on the subject of environmental rights. Section 24 of the **Constitution of the Republic of South Africa, Act 108 of 1996, Chapter 2: Bill of Rights** states:

### **Environment:-**

24. *Everyone has the right –*

- a) to an environment that is not harmful to their health or wellbeing; and*
- b) to have the environment protected, for the benefit of present and future generations, through reasonable legislative and other measures that –*
  - i) prevent pollution and ecological degradation*
  - ii) promote conservation; and*
  - iii) secure ecologically sustainable development and use of natural resources while promoting justifiable economic and social development.*

There is a plethora of legislation that will, to a greater or lesser degree effect the agricultural industry and it is beyond the scope of this document to include a comprehensive listing of these or related legislation (e.g. those governing labour or fiscal matters), however, the following are of relevance to the conservation of resources and it is incumbent on all NACSSA members to familiarize themselves with the general meanings in the following:

- National Environmental Management Act 107 of 1998 ( NEMA )
- National Environmental Management: Biodiversity Act 10 of 2004 ( NEMBA )
- National Environmental Management: Protected Areas Act 57 of 2003

- Environment Conservation Act 73 of 1989
- Conservation of Agricultural Resources Act 43 of 1983 (CARA)
- National Water Act 36 of 1998
- Mineral and Petroleum Resources Development Act 28 of 2002
- Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act 36 of 1947
- National Forests Act 84 of 1998
- National Veld and forest Fire Act, 101 of 1998
- The various provincial nature conservation ordinances.

Further to the topic of specific legislation, note the following:

NACSSA reserves the right to enter into meaningful dialogue with any government agency who may propose laws concerning the agricultural industry, which may directly or indirectly have a deleterious effect on the environment.

## **STEWARDSHIP**

- NACSSA supports the principals of formal Stewardship programs as presented by the various provincial nature conservation agencies, and are committed to entering into negotiations whereby equitable policies are tabled that afford land owners the opportunity to manage biodiversity upon their land in a manner that does not financially or otherwise, dissuade such activities.
- All land owners and tenants have an ethical obligation towards upholding land stewardship principles of sustainable resource usage.

## **SUSTAINABLE AGRICULTURAL PLANNING**

NACSSA supports the practice of agricultural planning which is environmentally and economically sustainable. This includes:

- Low-yield, marginal lands should not be used for crop production. Suitable alternatives such as game, commercial live stock or agri/eco-tourism should be considered.
- Portions of land should be set aside for “green corridors”, which maintain genetic diversity and allow for the free movement of wildlife.
- Co-operative management of “green corridors” across land ownership boundaries should be encouraged.
- Encroachment of urban development into prime agricultural areas should be discouraged.

## **SOIL CONSERVATION**

NACSSA supports soil conservation practices through responsible and sustainable land husbandry. This includes:

- Virgin soil be cultivated only after all environmental impacts are considered.
- Top soil must be protected against wind and water erosion, especially when vegetative coverage is sparse or non-existent ( for example during tillage ).
- Land with a slope of more than 12% should not be cultivated.
- Irrigated land must be protected against water logging and salination through responsible land use practices and the appropriate rotation of land use.
- Cultivation of slopes must be executed using contouring and correct drainage.
- Roads, sheds and dwellings must be equipped with storm water management systems.
- Any oils, fuels, pesticides, herbicides and fertilizers should be handled in such a way as not to pollute the soil or soil water resources.
- Soil that is degraded and eroded should be rehabilitated.

## **WATER**

NACSSA encourages responsible and wise water usage and is opposed to any agricultural practice that degrades surface and subterranean water quality and quantity. This may be achieved by:

- Protecting catchment systems from the encroachment of invasive alien plant species and halting and managing the spread of soil erosion.
- Protecting indigenous ecosystems along water courses.
- Guarding against excessive run-off of agricultural chemicals into water courses through environmentally sustainable land management practices.
- Creating appropriate buffer zones around wetlands and water courses.
- Refraining from any form of wetland disturbance, such as cultivation of wetlands, building of roads or any other infrastructure across wetland systems.
- Guarding against the release of any exotic aquatic organism (either animal or vegetable) into any aquatic environment.
- Ensuring all waterways, dams etc. are kept free of invasive aquatic weeds.
- Ensuring that all aquaculture practices (whether fresh water or marine) are properly authorized in terms of the National Environmental

management Act (No. 107 of 1998), as amended. Such activities are to be planned and executed in such a manner as to greatly reduce or nullify any potential physical or chemical impact to the environment, caused by habitat disturbance or the increase of nutrients into the aquatic system.

## **BOTANICAL RESOURCES**

NACSSA supports the conservation of natural habitat which harbours unique or endangered plant communities or species.

Contrary to popular belief, some of our most sensitive and threatened ecosystems are not to be found exclusively in our country's formally/legally protected areas, but on privately owned land. Due to organised agriculture being the largest landowner in South Africa, it is vitally important that farmers become aware that they have a pivotal part to play in the protection of our county's botanical resources.

Farmers and nature conservationists are urged to co-operate in ensuring that botanical knowledge is developed outside of formally protected areas and that such knowledge is borne in mind during decision making processes surrounding agricultural land. This can be achieved by:

- Encouraging farmers to become better informed about the plant life and veld types occurring on their farms. Should this knowledge be lacking on the part of the farmer, local nature conservation officials or local plant experts can be consulted for information or guidance. This is one of the many areas in which local conservancies can also be of assistance.
- Actively encouraging nature conservation agencies and botanical students to focus their areas of study on privately owned land rather than in the customary formally protected areas. There is still a great lack of knowledge of plant distributions outside of formally protected areas.
- Any rare, endangered or new species of plant found on farms should be reported to the provincial nature conservation agency so that it can be captured and added to existing biodiversity data on the area. Strategies may be discussed with the agency or organisations such as the local conservancy, Botanical Society, CREW etc., regarding the protection and conservation of rare or endangered specimens or populations. The fact that a botanical reference guide may not list a specific species as occurring in a particular area does not necessary mean that it does not occur, rather that it may never have previously been noted and catalogued from that specific area. All such information is, thus, vital to botanical research and biodiversity conservation.
- Actively discourage the practice of indiscriminate wild plant harvesting by landscapers, florists, rare plant collectors, and "muthi plant" collectors. Those found collecting plants illegally on farmland should be criminally charged under the appropriate legislation.
- Any harvesting of seed of specially protected or rare indigenous plants must be in accordance with the provincial and/or national biodiversity legislation

and care must be taken by those harvesting, not to sterilize the entire plant population in an area.

- Any bioprospecting by organizations must be in accordance with the terms of those found within the National Environmental Management: Biodiversity Act. Farmers and land tenants are urged to ensure that such activities are accompanied by the legally correct official authorisation prior to engaging in such activities, and to ensure that such activities are executed in such a manner as not to adversely affect the resource.
- NACSSA endorses the principle of consultation with user groups (e.g. landscapers, traditional healers, etc.) to find amicable ways of sustainable and legal resource usage. Should this fail, then the rule of law must prevail as ultimate arbitrator.
- Invasive alien plant species must be eradicated or managed in such a way that the spread of populations do not invade areas of indigenous habitat or neighbouring properties.

## **WILDLIFE AND HUNTING**

NACSSA supports the conservation and protection of naturally occurring wildlife on agricultural land, particularly those species which are rare and endangered or where natural populations are on the decline by:

- Ensuring that sufficient natural habitat exists to sustain the passage of wild populations of fauna.
- Ensuring against the destruction of habitat harboring rare or endangered species.
- Educating farm labour as to the benefits of wildlife occurring on the farm and the legalities of chasing, hunting or capturing wildlife.
- Encouraging the formation of conservancies in districts, which would aim at establishing a co-operative management of transient wildlife population in the area.
- Reporting any unusual sightings or the occurrence of rare or endangered species to local representatives of the provincial nature conservation agency, for inclusion onto their species data - bases.
- Adhering to all laws pertaining to the protection of wildlife.
- Ensure that all hunting on farms is in accordance with the relevant provincial and/or national legislation.
- Guarding against unethical forms of hunting or any inhumane treatment of wildlife and allowing for the principle of fair chase during hunts.
- Refraining from importing any exotic species onto farms and game farms, including any indigenous species that do not naturally occur in the region, without prior authority and respecting such authority should it decline such an application.
- Guarding against any illegal hunting on agricultural land.

- Ensuring the correct stocking rate of any introduced wildlife so as to guard against habitat deterioration.
- Stocking farms or game farms with the correct species composition so as to guard against any unnatural hybridizing occurring.
- Refraining from purchasing and stocking farms with any hybrid game species not recognized by national and provincial norms and standards for the wildlife industry.
- Refraining from selecting aberrant forms of wildlife for breeding purposes. (e.g. melinistic or albino forms)
- Ensuring against genetic pollution of wild and pure-bred faunal populations.
- Ensuring due diligence when selecting species for stocking farms and game ranches that may potentially become problematic to neighbouring farms and settlements should such species escape.

### **HUNTING WITH DOGS**

NACSSA supports the active search for positive solutions to the escalating matter of hunting wildlife illegally with dogs.

- Unless provided for in terms of provincial nature conservation legislation, the use of dogs to hunt down wildlife (excluding dogs that aid in bona fide hunts, such as those used for retrieval or the flushing of wild fowl) is illegal and the perpetrators should be charged criminally in accordance with the rule of law.
- Whilst it is every property owner's right to destroy any dog or any other domestic animal in pursuit of wildlife, property owners or tenants should do so with discretion. Dogs should not be destroyed if handlers are present. Handlers may be charged for trespassing if found on private land without prior authority of the landowner, or, if sufficient evidence exists that the handler was hunting illegally, then the dogs may be removed and contained pending the outcome of a formal charge under the appropriate legislation.
- Notwithstanding the above statements, NACSSA is supportive of any process or dialogue which aims at exploring win-win solutions to what can often become a matter of dispute and ill will between local communities and the agricultural sector.

### **PROBLEM ANIMAL CONTROL**

NACSSA acknowledges that the agricultural sector suffers great losses annually through predation or crop damage from wild animals. It, however, believes that solutions can only be found through multidisciplinary research into the problem, which strives to address the issue ecologically.

- Current research has shown that improper problem animal control can alter animal ecological and behavioral patterns, often compounding the problem. Sound land management practices, which allow for the co-existence of a healthy spectrum of habitats to support a spectrum of wildlife on farmlands, has proved to lessen predation on livestock. It should be common practice to, firstly, correctly identify the correct species of problem animal, and secondly, to strive to remove the particular problem animal rather than attempt to destroy the entire population occurring within the area, where it is feasible to do so.
- NACSSA is opposed to the willful destruction of any specially protected species. If such an action is deemed unavoidable, then it is incumbent upon the land owner/user/occupier to ensure their actions are in accordance with proper legal channels and that the local nature conservation authorities are informed. By doing so, the authorities may be given the opportunity to pursue alternative methods of addressing the problem, or, if no other options are to be found, and official permission has been granted for such actions, valuable data may be gleaned from carcasses.
- NACSSA is opposed to the illegal and/or irresponsible use of poisons to control any problem species. Should this practice be unavoidable then it is incumbent upon the proponent to do so under the strictest legislative, practical and safety guidelines.

## **FIRE MANAGEMENT**

NACSSA urges all farmers to take responsibility for well-planned and maintained fire prevention strategies. Tracer belts/ fire breaks must be burned/ treated well in advance of the fire hazard season.

- In recent years, out of control veld fires in many parts of the country have had devastating results, with loss of property, crops and livestock and, even at times, life or limb. Uncontrolled veldfires have also led to deterioration of some of our most endangered habitats.
- Fire protection agencies, established in terms of Act 101 of 1998, must be viewed as integral components of the agricultural sector and it is the duty of all land owners/occupiers to contribute to such structures.
- NACSSA strongly condemns the senseless act of fire arsonists, whatever their motives may be.
- NACSSA acknowledges that beyond the matter of fire safety, there are habitats which are actively managed with fire and that active fire management can, in many instances, greatly enhance natural grasslands and pastures. Such practices must, however, be conducted employing a process of clearly defined management blocks and all active fires are to be carefully controlled in accordance with fire danger indices and safety requirements. Cognizance is to be taken of variables such as fire intensity, fire duration and frequency of planned burns.

Author: T. H. H. Petterson

November 2005 (Revised August 2015)

Signed on this day 31/8/2015 by



(Chairperson: NACSSA)