**Rooiels Nature Reserve Founding Documents**

**FOUNDING DOCUMENTS - STIGTINGSDOKUMENTE
ROOIELS NATURE RESERVE – ROOIELS NATUURRESERVAAT**

**PREAMBLE
The Rooiels Nature Reserve (RENR) was proclaimed by Cape Provincial Notice P.K.154/1984. On 5 September 1985 the Caledon Divisional Council approved for the RENR its founding documents, consisting of a By-law for the Advisory Council and a General By-law.  The founding documents are untraceable and need to be replaced.
The Rooiels Conservancy (REC) was formed on 15 November 2003 and was registered with Cape Nature Conservation on 4 March 2004.   The founding documentation consist of a Constitution and management plan, known as the “Rooiels Vision”.  The executive committee of the REC assumed the functions of the Advisory Council of the RENR and approved a Management Plan for the RENR.
In terms of the National Environmental Management: Protected Areas Act, 2003 (NEMPA), supervision over the RENR, as a Local Protected Area, devolved onto the Overstrand Municipality.

AANHEF
Die Rooiels Natuurreservaat is geproklameer met Provinsiale Kennisgewing P.K.154/1984.  Die Caledon Afdelingsraad het op 5 September 1985 die stigtingsdokumente, bestaande uit die Verordening insake die Adviesraad en die Algemene Verordening, goedgekeur.  Die stigtingsdokumente kan nie opgespoor word nie en dit moet vervang word.
Die Rooiels Bewarea is gestig op 15 November 2003 en dit is op 4 Maart 2004 by Kaaplandse Natuurbewaring geregistreer.  Die stigtingsdokumente bestaan uit die Grondwet en ‘n bestuursplan, wat bekendstaan as die “Rooiels Visie”.  Die bestuurskomitee van die Bewarea het die funksies van die Adviserende Raad oorgeneem en ‘n Bestuursplan vir die Bewarea goedgekeur.
Ingevolge die National Environmental Management: Protected Areas Act, 2003 (NEMPA), het toesig oor die Rooiels Natuurreservaat, as ‘n Plaaslike Beskermde Gebied, oorgegaan op die Overstrand Munisipaliteit.

PURPOSE
The purpose of this document is to redraft the founding documents of the RENR and to align them with the supplementary aims of the REC and NEMPA

DOELSTELLING
Die doelstelling met hierdie dokument is om die stigtingsdokumente van die Rooiels Natuurreservaat weer op te stel en om dit in lyn te bring met die doelstellings van die Rooiels Bewarea en NEMPA.

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SCHEDULE E: CONSTITUTION OF THE ROOIELS CONSERVANCY.**

**SCHEDULE A:  ADVISORY COUNCIL**

**1. The members of the Executive Committee of the Rooiels Conservancy (REC), as elected in terms of  the constitution of the REC (Schedule E) shall also act as Advisory Council to the Rooiels Nature Reserve (RENR).

2. Matters relating to the RENR shall be resolved and minuted at the quarterly meetings of the Executive Committee of the REC and shall be reported on at the Annual General Meeting of the REC.**

**SCHEDULE B: GENERAL BY-LAW FOR THE ROOIELS NATURE RESERVE.**

**1. Except for the maintenance of the existing footpaths (by means of natural materials only) and the maintenance of the existing two benches and three signposts, there shall be no development of any nature or description in the reserve.

2.  The primary uses of RENR erven zoned Open Space Zone 1:Nature Reserve (OS1) shall be nature reserve and conservation use and the RENR shall retain its status as indicated on the Rooiels zoning map.

3. Consent uses shall not be approved for the RENR.

4. The Advisory Council shall endeavour to extend the proclaimed RENR to the other declared Nature Reserves (OS1) as per the Rooiels zoning map.

5. In order to protect and maintain the street reserves adjacent to the RENR, which serve as green linkages between the mountains and the coastline and which contribute to the character of Rooiels, the following natural features  will be maintained:
5.1 Streets and roads adjacent to the RENR will not be widened and will be brick-paved where necessary.
5.2 Streets and roads already serve as firebreaks and firebreaks will not be constructed next to streets and roads adjacent to the RENR, unless specifically required and motivated  in terms of an approved fire protection plan by an approved Rooiels community organisation, such as the Rooiels Ratepayers’ Association.
5.3 Street and road verges shall serve as fuel load breaks only in terms of the fire protection plan  named in paragraph 5.2. and not as firebreaks.
5.4 In order to maintain the existing seedbeds in the road reserves adjacent to the RENR, and also to prevent illegal parking or widening of roads, the road reserves will not be burned or clearcut.
5.5 Trimming may be done of indigenous vegetation that overhangs streets and road verges adjacent to the RENR, and to reduce the excess fuel load caused  by the amount of indigenous vegetation in the street reserves.  Removing or clearcutting of indigenous vegetation to reduce the fuel load shall be limited to identified plant species  which pose an undue fire risk, in accordance with the fire protection plan named in paragraph 5.2.

6. The RENR will be subject to the Overstrand municipal by-laws.

7. Registration of the RENR as a nature reserve on the Protected Areas Register will be applied for and the registration will be maintained as required by the National Environmental Management: Protected Areas Act, 2003 (NEMPA)**

**SCHEDULE C: CAPE PROVINCIAL NOTICE P.K.154/1984 and MAP OF ERVEN 211 and 212 UNABLE TO COPY**

**SCHEDULE D: MANAGEMENT PLAN FOR THE ROOIELS NATURE RESERVE.**

**LEGAL STATUS
The Rooiels Nature Reserve (RENR) was proclaimed as a nature reserve in terms of section 7(5) of the Cape Nature Conservation Ordinance, No 19 of 1974 (See PN 154/1984).
Erf 211 lies to the northern end and erf 212 to the southern end.
These two erven were declared as a “Local Nature Reserve” by the administrator of the Cape Province at the time, which would become known as the Rooiels Nature Reserve.  The reserve was proclaimed on 4 May 1984 in terms of section 7 (5) of the Cape Nature Conservation Ordinance, no 19 of 1974 (See PN 154/1984).

FUTURE PROSPECTS
For future expansion of the nature reserve the following areas are under discussion**

* **Erf 199 (the koppie near the CBD)**
* **Erf 1 (a large erf between Clarence Drive and the Rooiels River plus parts of the vlei bordering erf 321, which accommodates a sensitive ecosystem: a northern aspect with reed banks and rare water birds**
* **Erf 320 (coastal belt)**
* **Erf 321 (coastal belt)**
* **Erf 197 (private erf)**
* **Erf 198 (private erf)**
* **Erf 326 (bordering the Rooiels River)**
* **The area bordering the RENR, extending to Roman Rock, as a marine reserve**

**The RENR is an important component in the embodiment of the Rooiels Vision. It would comprise specific areas where fynbos can flourish, free of invasive plants, and local fauna can be accommodated.  The residents and visitors will be able to observe and enjoy this indigenous fauna, flora and sea life.

It will be recommended that the RENR forms part of the proposed biosphere reserve and that it should serve as part of the buffer zone.**
**The reserve is situated in the middle of a built-up area, against the coast, which in effect forms the core for conservation in a conservation conscious Rooiels.  Rooiels, in turn, abuts the proposed Kogelberg Biosphere Reserve.

The RENR can form part of the so-called “stepping stone” concept which connects the Kogelberg with the sea.

A specific ecosystem is present in the RENR in which sea, people, flora and fauna are present.

GEOLOGY AND TOPOGRAPHY
The RENR forms a low-lying area of about 3 Ha and between 0 and 6 metres above sea level, which can be regarded as an extension of the coastline, including the bay that borders the RENR, which can also be attributed to the inferior strength of the local sandstone substrate which occurs throughout the entire area, known as Tafelberg sandstone.

This sandstone forms a prominent koppie on the sea side of erf 218, but the rest of the RENR is covered by a shallow layer of sandy soil.

The low-lying topography, the so-called acidic seepage area, accounts for the fairly permanent seepage of fresh water in the direction of the sea and possibly also explains the present of many interesting wild herbs, such as wild celery, which occurs just above the highwater mark.

Rainfall:**

* **between 80 and 120 days per year at least 0,25mm**
* **80 days more than 1,00mm**
* **10 days 10,00 mm or more**

**The RENR is the habitat of various kinds of small fauna. Management and control of the area can offer a safe haven and shelter for these animals.

                1 Boucher, 1978
                2Boucher, 1978
                3Weerburo 1957

The following main groups of plant communities are present in the area:**

* **Coleonema alba short coastal rock fynbos**
* **Colpoon-rhus dune scrub**
* **Sideroxylon inerme dune scrub**
* **Acidic seepage plant communities**

**The reserve is situated in virgin lowland fynbos which is becoming scarcer as the result of increasing development and invasion by exotic plants and is no longer present in the Kogelberg Biosphere.

Environmental education:
The RENR offers exceptional education opportunities. It is an unspoilt area with a variety of naturally functioning ecosystems which are easily accessible.

The concept of a reserve fits in with the Vision for Rooiels which sees the conservation of fynbos as one of the greatest attractions of Rooiels.

APART FROM UNCONTROLLED FIRES, THE FOLLOWING CAN BE REGARDED AS THREATS TO THE RESERVE:**

* **If proper access routes are not provided and if footpaths are not installed and maintained, indiscriminate use by visitors can cause damage.**
* **Invasive plants, such as rooikrans, Port Jackson and Australian myrtle can threaten natural flora.**
* **Free-ranging dogs and cats and other problem animals can be a threat to the fauna.**
* **Commercialisation, especially adjacent to or near coastal areas can also be regarded a threat.**

**The following goals will be pursued:**

* **The maintenance and restoration of the natural functioning of the ecosystems**
* **To preserve any unspoilt ecosystem in its natural state for posterity**
* **To protect any threatened fauna species**
* **To protect any flora species**
* **To preserve representative veld types**
* **To preserve outstanding natural characteristics of the landscape**
* **To educate and involve the local community in nature conservation**

**POLICY OF THE ADVISORY BOARD:**

* **Landscape conservation and protection will be applied and no management decisions will change the beauty of the landscape**
* **The protection and preservation of the fynbos will enjoy priority in all aspects of veld management and all natural veld will be maintained in its natural state as far as possible**
* **Fire control will be applied and controlled burns will only be allowed according to a specific plan.**
* **Exotic plants will be removed**
* **A specific plan will be drawn up in cooperation with the nature conservation officer for the area**
* **Management steps are aimed to protect and advance animal and plant species The public will be requested to assist in this**
* **Public use zones will be classified**
* **Layout and building of footpaths will be approached with great prudence**
* **Regular monitoring of the conditions in the reserve will be done**

**The advisory board for the RENR was appointed in 1996 by the premier of the Western Cape and consisted of the following persons:
Prof Anthony Hall (chair), Eldie Brink (secretary), Evette Weyers,  Gerard Scholtz, Frank Raymond, Craig Spencer (Municipal Nature Conservation Officer) and Mark Johns (Western Cape nature Conservation)

ADMINISTRATION
The advisory board serves to advise the local management in terms of administration, oversight and control of the RENR.  A comprehensive data list of fauna and flora will be compiled and updated in cooperation with the Nature Conservation Officer and staff of the Harold Porter Botanical Gardens.

The municipality will be responsible for the infrastructure, erection of and supervision of information boards and monitoring of the relevant parameters.

The Rooiels Hack Group has kept the reserve free of invasive plants since 1981. As the result of the work of this group the RENR has been free of invasive plants over some years, although follow up actions take place to keep the area clear.

The quality of seepage water must be maintained.
The advisory board will endeavour that the handling of storm water and French drain outflow that could possibly have an impact on the RENR, will be provided for in spatial planning.

CONTROLLED BURNS**

* **Must take place during late summer or early winter.**
* **The Colpoon-rhus and Milkwood thicket must be protected**
* **The local authority must warn owners of private property timeously, so that sufficient insurance can be taken out for the period extending from the fire until two weeks thereafter.**

**During a controlled burn the following bodies must be involved:**

* **Local nature conservation officer: coordination and logistics**
* **RENR advisory board: advise**
* **CapeNature: manpower and equipment**
* **Residents of Rooiels: preparations, stakeholders**
* **Municipality: administration, manpower and equipment**
* **RERA: suggestions and recommendations**
* **Overberg District Council (since fallen away, replaced by Overstrand Municipality) : manpower, equipment and possible declaration of state of emergency**

**Footpaths must be designed and laid out in consultation with the Advisory Board and the local authority.
All suggestions concerning a fire management plan must be submitted to the Advisory Board.

APPENDIX B:

Fauna in the area of the RENR
The following mammals have been observed in the RENR:**

* **Baboons (Papio ursinus)**
* **Dassies (Procavia copensis)**
* **Cape otters (Aonyx ccipensis)**
* **Mongooses (Herpestes pulveruientus)**
* **Water mongooses (Atilax poludinosus)**
* **Smith’s Red rock rabbits**
* **Steenbokkies (PaRhicerus)**
* **Field mice**
* **Small spotted genet (Genetto genetta)**

**The following reptiles have been observed**

* **Puffadders**
* **Agamas/Salamanders**

**Other:**

* **Tortoises**
* **Frogs**
* **Chameleons**

**The following birds have been sighted:  (with Roberts number)**

* **Whitebreasted Cormorant (55)**
* **Cape Cormorant (56)**
* **Bank Cormorant (57)**
* **Barter (60)**
* **Grey heron (61)**
* **Little Egret (67)**
* **Pied Kingfisher (429)**
* **Giant Kingfisher (430)**
* **Cape Bulbul (566)**
* **Cape Rockthrush (581)**
* **Familiar Chat (589)**
* **Cape Robin (601)**
* **Barthroated Apolis (645)**
* **Longbilled Crombec (651)**
* **Grassbird  (661)**
* **Greybacked Cisticola  (669)**
* **Spotted Prinia (686)**
* **Fiscal Flycatcher (698)**
* **Cape Batis (700)**
* **Cape Wagtail (713)**
* **Fiscal Shrike (732)**
* **Bokmakierie (746)**
* **European Starling (757)**
* **Redwinged Starling (769)**
* **Cape Sugarbird (773)**
* **Malachite Sunbird (775)**
* **Orangebreasted Sunbird (77)**
* **Lesser doublecollared Sunbird (778)**
* **Cape White Eye (796)**
* **Cape Weaver (813)**
* **Yellow-rumped Widow (827)**
* **Cape Bunting (885)**
* **Cape Francolin (195)**
* **Helmeted Guineafowl (203)**