



POLICY DOCUMENT

CapeNature
BIODIVERSITY SUPPORT SERVICES

Policy on Fencing and Enclosure of Game, Predators and Dangerous Animals in the Western Cape Province

February 2014

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<p>POLICY ON FENCING AND ENCLOSURE OF GAME, PREDATORS AND DANGEROUS ANIMALS IN THE WESTERN CAPE PROVINCE</p>	
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**POLICY ON FENCING AND ENCLOSURE OF GAME, PREDATORS AND DANGEROUS ANIMALS IN THE
 WESTERN CAPE PROVINCE**

1. Glossary of terms and acronyms used in this policy document

<u>Term</u>	<u>Definition</u>
Adequately enclosed	In relation to land means enclosed by— (a) any fence, wall or obstruction of any kind whatsoever forming all enclosure from which any wild animal is unable to escape without breaking it; (b) any natural boundary through or over which any wild animal will under normal circumstances not pass, or (c) any combination of fences, walls, obstructions or boundaries referred to in paragraphs (a) and (b) so that any wild animal cannot escape from such land; (See Section 2 of Ordinance 19 of 1974)
Alien species	(a) a species that is not an indigenous species; or (b) an indigenous species translocated or intended to be translocated to a place outside its natural distribution range in nature, but not an indigenous species that has extended its natural distribution range by natural means of migration or dispersal without human intervention; (Read with “extralimital”) (See Section 1 of NEMBA)
Captivity	In relation to any wild animal means the keeping within an enclosure by means of any fence, wall or obstruction of any kind whatsoever in such a way that such wild animal is unable to maintain itself by natural means; (See Section 2 of Ordinance 19 of 1974)
Certificate of Adequate Enclosure	A document issued in terms of section 35 of the Nature Conservation Ordinance, No. 19 of 1974, for protected wild animals listed on the certificate
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora, Washington, 1973;
Dangerous animal	Includes lion, leopard, puma, tiger, jaguar, bears, brown hyena, spotted hyena, buffalo, hippo, black rhinoceros, white rhinoceros and African elephant.
Extralimital	Indigenous species outside its historic natural distribution range;

2. Introduction

Current fencing requirements and specifications in the Western Cape Province were compiled nearly 40 years ago, in 1976. The rapid growth of the wildlife industry in the Western Cape Province over recent times necessitates a new policy that addresses the needs of the industry and nature conservation that are prevalent in the modern day. Furthermore, the changes in conservation legislation over the past ten years also emphasize the need for a policy that addresses the current situation.

It is therefore essential to establish appropriate guidelines, principles, and procedures that need to be followed for the adequate enclosure of wild animals within our own province particularly since it is internationally recognised as one of the most important and most threatened biodiversity ‘hotspots’ in the world.

This policy aims to address three aspects of fencing and enclosure, namely captivity enclosure specifications for certain wild animals, adequate fencing specifications and certificates of adequate enclosure (“CoAE”).

3. Policy Statement and Guidelines

3.1 Purpose

This policy is drafted in terms of Section 16(1)(e) of the Nature Conservation Ordinance, No. 19 of 1974 (“the Ordinance”) and section 9(y) of the Western Cape Nature Conservation Board Act, No. 15 of 1998 and seeks to achieve the objectives and purposes of the Ordinance. Furthermore, this policy has the following purpose, namely:

1. to revise and update existing policy documents dealing with fencing and enclosure;
2. to set minimum criteria for the construction of fences and enclosures for wild animals in terms of this policy;
3. to ensure a consistent approach to captivity enclosures, adequate fencing and CoAE and a set standard for the performance of inspections;
4. to provide fixed guidelines for the listing of wild animals on CoAE;
5. to introduce and apply the “polluter pays principle”, whereby responsibility for rectification of proven negative environmental impacts that may arise lies with the owner of the facility or property in question;
6. to introduce and apply the “precautionary principle” when considering the fencing and enclosure of wild animals in terms of this policy;
7. to introduce and apply the “duty of care principle” with respect to habitat management as it relates to the fencing or enclosure of wild animals in terms of this policy;
8. to set out the conditions applicable to the fencing or enclosure of wild animals in terms of this policy;
9. to set out the criteria to be included when compiling management plans where applicable;
10. to clarify the various related processes and other responsibilities; and
11. to identify the critical information required for making decisions regarding the fencing or enclosure of wild animals in terms of this policy.

3.2 Scope

This policy includes all applications for the fencing or enclosure of listed animals in the Western Cape Province. Where applicable, this policy must be read in conjunction with all regulations proclaimed in terms of National Environmental Management legislation, all published national norms, standards, codes, and any listed or other relevant policies, whether at national or provincial level. This policy must also be read with relevant local authority by-laws where these by-laws become applicable to the construction of enclosures and the keeping of wild animals in captivity.

3.3 Applicability

This policy shall be applicable to all fencing and enclosure of listed animals on any land, including all statutory and other protected areas (including all land under management of the Western Cape Nature Conservation Board, stewardship sites, and state-owned or privately-owned land), within the boundaries of the WCP.

4. Principles

South Africa has an obligation with respect to a number of international conventions to ensure the conservation of its biodiversity. According to the Constitution of the Republic of South Africa, the WCP is obliged to adhere to and implement the principles of these conventions. This warrants the implementation of a policy focussing on ethical and conservation-orientated principles and procedures.

The Western Cape Nature Conservation Board will not promote any actions or activities that may pose any threat to biodiversity within the Western Cape provincial boundaries or elsewhere. The fencing and enclosure of listed animals in the WCP will be subject to the following general guiding principles, except where this policy makes provision for specific exceptions.

1. Conservation principles must not be compromised by economic considerations.
2. Fencing and enclosure of listed animals must comply with ethical standards.
3. The safety of both the listed animals and people must be taken into consideration when designing, constructing and maintaining fencing and enclosures.
4. Fencing and enclosure of listed animals must take place in accordance with applicable legislation as contained in this policy. The provisions of the relevant roads legislation are of specific importance and the construction of fences or enclosures must comply with these provisions.
5. Any trade (buy, sell, donate or receive as a donation, exchange, etc.) or hunting of listed animals enclosed in terms of this policy must take place in accordance with relevant legislation. The acquisition of wild animals for introduction to a property and listing on a CoAE must therefore also take place in accordance with applicable legal prescriptions.
6. Specialist input, in the form of extra documentation, may be requested by CapeNature during the process of evaluating permit applications.
7. Implementation of specifications for fencing and enclosures must be exercised consistently. A motivation for departure from minimum standards laid down in this policy must be submitted to CapeNature in writing and approved by the Director: Biodiversity Support Services prior to construction of the fence.
8. No listed animal may be kept in fenced or enclosed areas unconditionally.
9. No listed animal kept in a fenced or enclosed area may be released from the fenced area or enclosure without authorisation by CapeNature.
10. In mammalian species where the occurrence of ecotypes is recognised by CapeNature, no mixing of ecotypes may occur.
11. The “polluter pays” principle will apply, whereby responsibility for rectification of proven negative environmental impacts that may arise lies with the owner/custodian of the wild animals in terms of section 28 of NEMA.

5. Adequate Fencing

Adequate fencing is a separate concept to Certificates of Adequate Enclosure in that the term specifically addresses the actual fence or enclosure for which a certificate would be issued. Adequate fencing deals with the minimum specifications in terms of which a fence or enclosure is constructed in order to prevent a wild animal from escaping under normal circumstances.

These minimum specifications are listed in the Fence Class Tables in Section 9 of this Policy.

6. Certificates of Adequate Enclosure

A certificate of adequate enclosure is issued to an applicant in terms of section 35 of the Ordinance for the purpose of granting the holder thereof certain rights with regard to the utilisation of the animals listed on the CoAE. The Game Theft Act furthermore states that the holder of a CoAE is deemed to be the owner of the animals listed on such certificate.

Only protected wild animals are listed on a CoAE. Wild animals not listed in Schedule 2 of the Ordinance (protected wild animals) or in Appendix II of CITES may not be listed on a CoAE. The following species (taxa) will not be listed on a CoAE.

- Large Predators
- Small Predators
- Elephants
- Rhinoceros
- Endangered wild animals
- Indigenous wild animals (e.g. nyala, sable, roan, waterbuck, etc.) not listed as protected or endangered wild animals i.t.o. the Ordinance
- Alien taxa (e.g. fallow deer) not listed as protected or endangered wild animals i.t.o. the Ordinance
- Protected wild animals not acquired in accordance with the provisions of legislation.

In terms of section 36 of the Ordinance, a CoAE suspends the provisions of section 28 (Daily Bag Limit), Section 29 (Prohibited Hunting Methods, excluding Section 29(a) (Fire or Poison)), and Section 33 (Hunting from a vehicle). However, any person hunting on a property for which a CoAE, other than the CoAE holder, any relative of the CoAE holder and any full-time employee of the CoAE holder, must be in possession of a hunting licence in terms of section 27(1)(a) of the Ordinance and the written permission of the CoAE holder in terms of section 39 of the Ordinance.

With regard to the utilisation of ungulate taxa that cannot be listed on a CoAE but are present on a property for which an application for a CoAE has been submitted, the following process is applicable.

1. The CoAE applicant must submit, along with a list of wild animals to be listed on a CoAE, a list of wild animals that may not be listed on a CoAE.
2. This list must include details of acquisition, including relevant permits and documentation.
3. Upon approval of such CoAE application, a document (see Annexure 1) will be issued to the applicant, which will:
 - a. List specified wild animals to which such document will apply and the numbers of such wild animals;
 - b. Allow the landowner, the landowner's family, full-time employees and hunters to utilise the specified wild animals in accordance with the Ordinance;
 - c. Suspend the following provisions of section 29 of the Ordinance:
 - i. Section 29(b) – with the aid of artificial light;
 - ii. Section 29(d) – hunting by means of any trap (limited to the capture of game);
 - iii. Section 29(e) – hunting at night;
 - iv. Section 29(h) – hunting by means of a fire-arm which discharges more than two shots without being manually reloaded;
 - v. Section 29(i) – hunting by means of a bow-and-arrow;
 - d. Suspend the provisions of section 31(1) in respect of the captivity of wild animals listed in such document that have been captured for the purpose of sale on the property in respect of which such document was issued); and
 - e. Suspend the provisions of section 33(1) of the Ordinance with regard to the use of vehicles or a helicopter for the purpose of the capture of the species listed in the above-mentioned document.
4. Such document will only be valid for the property/properties specified therein.

5. Such document will run concurrently with a CoAE issued to the landowner and will have the same period of validity and expiry date as the CoAE.

In terms of section 37 of the Ordinance, a CoAE lapses on transfer or lease of the land or of any portion thereof in respect of which the CoAE was issued.

7. Minimum Fencing Requirements

When constructing a fence, regard should be had for the following features:

- The fence should be permeable to allow for movement of small, naturally-occurring wild animals, while having regard to the behaviour of wild animals in respect of which such fence is constructed.
- It should be in a perfectly straight line between straining posts with all the posts in between standing in perfect alignment.
- The straining, corner and gateposts should be sturdy and be set vertically into the ground.
- All other fence posts and droppers should stand erect and maintain the same height above ground level. In this way the undulations of the ground are followed.
- Straining posts should not be too far apart. The closer they and the fence posts are together, the sturdier the fence.
- Irrespective of the number and type of wires used each should be at a specific height above ground level be parallel to the other and be well secured to each fence post and dropper in such a manner that it cannot be shifted vertically. The more wire stands in a fence of a particular height the more difficult it is for man or animal to climb through them.
- Droppers must be spaced so that the distance between the fence posts is divided equally.
- They must stand erect and the wire stands must be securely tied to them at the same spacing as on the fence post.
- The fence must be visible to game animals to prevent unnecessary collisions with the fence.
- A good fence can never be erected with inferior material.
- A good fence must be correctly maintained and regularly patrolled to ensure that the fence or enclosure remains complete.
- A landowner must make provision for damage to the fence or enclosure as a result of fires, floods, or other emergencies or disasters.

8. Guide to Fencing Materials

Due to the variability in terrain in the Western Cape Province, the following is a guide to materials and specifications to be used in the construction of fences.

Fence Class 1 (2.4 m) and Fence Class 2 (1.8 m)

Poles	Straining, gate & corner posts	Wooden	120 – 140 mm
		Iron	80 – 90 mm
	Line	Wooden	120 – 140 mm
		Iron	40 – 50 mm
Droppers		Wooden	32 – 50 mm
		Iron	standard steel

Spacing (max)	Straining posts	Planted at min depth of 90 cm	100 – 150 m apart
	Line poles	Planted at min depth of 60 cm	10 m apart
	Droppers		2 m apart

Fence Class 3 (1.4 m)

Poles	Straining, gate & corner posts	Wooden	120 – 140 mm
		Iron	80 – 90 mm
	Line	Wooden	120 – 140 mm
		Iron	40 – 50 mm
Droppers		Wooden	32 – 50 mm
		Iron	standard steel

Spacing (max)	Straining posts	Planted at min depth of 90 cm	250 m apart
	Line poles	Planted at min depth of 60 cm	16 – 20 m apart
	Droppers		3 m apart

Temporary holding facilities

Construction of temporary holding facilities (including bomas and auctions, but excluding rehabilitation centres) must conform to the requirements of SANS 1884 where applicable.

9. Fence Class Tables for Adequately Enclosed Properties

The specifications listed below apply to properties for which a CoAE may be issued.

Class 1

Common Name	Fence Height	Fencing Specifications
Cape eland ¹	2.4m	Veldspan OR jackal-proof fence and steel wire

¹ Landowners with valid CoAE for eland with a fence of 1.8m will be required to raise the fence height to 2.4m by 1 January 2020. From the date of approval of this policy, new applications for CoAE with a legal population present on the property are required to have a 2.4m fence constructed.

Kudu	2.4m	combination OR Bonnox OR 18 properly spaced single steel wire strand stock-proof fence
Giraffe	2.4m	
Common waterbuck	2.4m	

Class 2

Common Name	Fence Height	Fencing Specifications
Red hartebeest	1.8m	Veldspan OR jackal-proof fence and steel wire combination OR Bonnox OR 15 properly spaced single steel wire strand stock-proof fence
Common reedbuck	1.8m	
Sable antelope	1.8m	
Roan antelope	1.8m	
Grey rhebok	1.8m	
Bushbuck	1.8m	
Mountain reedbuck	1.8m	

Class 3

Common Name	Fence Height	Fencing Specifications
Springbuck	1.4m	12 properly spaced single steel wire strand stock-proof fence, OR jackal-proof, OR Bonnox, OR Veldspan, electrification of fence optional.
Plains zebra	1.4m	
Cape mountain zebra	1.4m	
Gemsbok	1.4m	
Klipspringer	1.4m	
Steenbok	1.4m	
Cape grysbok	1.4m	
Grey / common duiker	1.4m	
Blue duiker	1.4m	
Bontebok (see also Class 3A)	1.4m	
Blesbok (see also Class 3A)	1.4m	
Black wildebeest (see also Class 3A)	1.4m	
Blue wildebeest (see also Class 3A)	1.4m	

Class 3A – Hybridisation Potential

In respect of below-mentioned animals listed under Class 3, the following specifications are applicable in order to prevent hybridisation.

Common Name	Fence Height	Fencing Specifications
Bontebok (with blesbok on adjacent properties or camps)	1.8m	15 properly spaced single steel wire strand stock-proof fence, OR jackal-proof, OR Bonnox, OR Veldspan, a minimum of 4 electrified strands with a minimum current strength of 6000V at an offset of 250mm on the inside of the fence equally spaced across the entire height of the fence, mounted on both sides of the fence OR a double fence of 1.8 meters with a buffer of at least 3m in between.
Blesbok (with bontebok on adjacent properties or camps)	1.8m	
Black wildebeest (with blue wildebeest on adjacent properties or camps)	1.8m	

Blue wildebeest (with black wildebeest on adjacent properties or camps)	1.8m	
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Class 3B – Suids

Common Name	Fence Height	Fencing Specifications
Warthog	1.4m	Bonnox, OR Veldspan, OR jackal-proof, OR diamond mesh, a minimum of 4 electrified strands with a minimum current strength of 6000V at an offset of 250mm on the inside of the fence equally spaced across the entire height of the fence, with the first strand at 100mm at an offset of 450mm, a mesh apron extending at least 600mm from foot of fence buried underground OR concrete fence foundation at least 500mm underground.
Bushpig	1.4m	

Class 4 – Special Class

In respect of animals in this class, the following steps must be taken:

- A fence maintenance patrol schedule must be implemented, with fence inspections taking place on at least a monthly basis. In respect of animals in this class that are kept in captivity, the enclosure fences must be inspected on a daily basis;
- Fence patrol logbooks must be kept up-to-date, including overall fence condition, vegetation encroachment, fire/flood damage, fence maintenance/repair, detail of voltage checks (which must be made available for inspection on request), etc.;
- Each energiser must be supplied with a back-up power source;
- Warning signs indicating electrified fences and the presence of dangerous animals must be placed at all gates and along fences at prescribed regular intervals;

Common Name	Fence Height	Fencing Specifications
Hippopotamus	1.4m	Bonnox, OR 12 properly spaced wire strand stock-proof fence, minimum of 2 electrified strands with a minimum current strength of 6000V mounted on off-set brackets on the inside of the fence at 500mm and 1000mm
Cape buffalo	1.8m	Bonnox, OR 15 properly spaced wire strand stock-proof fence, minimum of 2 electrified strands with a minimum current strength of 6000V mounted on off-set brackets on the inside of the fence at 500mm and 1000mm equally spaced across the entire height of the fence, no cables required. Boma facility for veterinary processing.
Black rhinoceros	1.8m	Bonnox, OR 15 properly spaced wire strand stock-proof fence, minimum of 2 equally spaced electrified strands with a minimum current strength of 6000V mounted on off-set brackets on the inside of the fence at 500mm and 1000mm, no cables required Black rhino must be off-loaded into a holding boma before release onto main property.
White rhinoceros	1.8m	
African elephant	2.4m	Bonnox, OR 18 properly spaced single steel wire strand stock-proof fence, with a minimum of 3 electrified strands on the inside of the fence with a minimum current

		strength of 6000V mounted on off-set brackets of at least 450mm with the bottom strand starting at 1000mm equally spaced across the entire height of the fence. The provisions of this policy must be read with The Norms and Standards for the Management of Elephants in South Africa.
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Class 5 – Predators (Non-captive)

In respect of wild animals in this class and in terms of a management plan (see Annexure 2) approved by CapeNature, the following additional steps must be taken:

- A fence maintenance patrol schedule must be implemented, with fence inspections taking place on at least a monthly basis. In respect of animals in this class that are kept in captivity, the enclosure fences must be inspected on a daily basis;
- Fence patrol logbooks must be kept up-to-date, including overall fence condition, vegetation encroachment, fire/flood damage, fence maintenance/repair, detail of voltage checks (which must be made available for inspection on request), etc.;
- Each energiser must be supplied with a back-up power source;
- Warning signs indicating electrified fences and the presence of dangerous animals must be placed at all gates and along fences at prescribed regular intervals;

Common Name	Fence Height	Fencing Specifications
Lion	2.4m	Mesh and wires must be mounted on inside of fence poles. Option A: 18 properly spaced strands above 1.2m meshed wire or diamond mesh or jackal proof. A minimum of 6 electrified strands with a minimum current strength of 6000V must be mounted on offset brackets at least 250mm from the fence equally spaced across the entire height of the fence. The first strand should be mounted 100 to 150mm above the ground and offset at least 250mm from the fence on the inside, to prevent burrowing. The uppermost electrified strand must be mounted on an offset bracket at least 450mm from the fence. Option B: 2.4m Veldspan and/or Bonnox (150mm vertical wire spacing) type fencing is also deemed to be adequate, with the minimum of 6 electrified strands with a minimum current strength of 6000V equally spaced across the entire height of the fence as indicated above.
Brown hyena	2.4m	
Cheetah	2.4m	

Class 6 – Alien or Extralimital Species (Pre-existing Legal populations)

Common Name	Fence Height	Fencing Specifications
Red lechwe	2.4m	18 properly spaced single steel wire strand stock-proof fence OR Bonnox OR Veldspan.
Fallow deer	2.4m	18 properly spaced single steel wire strand stock-proof fence OR Bonnox OR Veldspan.
Hartmann's mountain zebra	1.4m	12 properly spaced single steel wire strand stock-proof fence OR jackal-proof OR Bonnox or Veldspan.
Tsessebe	1.8m	Veldspan OR Bonnox OR 15 properly spaced single steel wire strand stock-proof fence.
Nyala	2.4m	18 properly spaced single steel wire strand stock-proof

		fence OR Bonnox OR Veldspan.
Impala	2.4m	18 properly spaced single steel wire strand stock-proof fence OR Bonnox OR Veldspan.

10. Captivity of Wild Animals

For the purposes of this policy, the following table lists minimum cage sizes applicable to the captivity of the wild animals listed below in terms of a management plan as contemplated in Annexure 3.

Category	Minimum Cage Size		Maximum number of wild animals per minimum size cage	Minimum additional space for every wild animal in excess of the maximum number of wild animals per minimum size cage
	Area	Volume		
(a) Cats				
i) Lions (and similar)	2000m ²	-	4	500m ²
ii) Leopards (and similar)	500m ²	-	1	500m ²
iii) Cheetah (and similar)	800m ²	-	1	800m ²
iv) Caracal (and similar)	400m ²	960m ³	2	100m ²
(b) Ungulates (excluding hippopotamus)—				
(i) up to and including 50 kg	2 500m ²	-	4	250m ²
(ii) 50 to 150kg	5000m ²	-	4	500m ²
(iii) over 150 kg	1ha	-	4	1000m ²
(c) Hippopotamus	13000m ² , including a pool with a surface area of 3000m ² and a minimum water depth of 1.5m	-	4	1500m ²
(d) African elephant	6ha	-	3	5000m ²
(e) Other Predators				
(i) Brown hyena	400m ²	-	2	100m ²
(ii) Spotted hyena	800m ²	-	2	100m ²
(iii) African wild dog (and similar)	800m ²	-	2	100m ²
(iv) Black-backed jackal (and similar)	400m ²	960m ³	2	100m ²
(v) Smaller predators	400m ²	960m ³	2	100m ²

Predators in Captivity

In respect of animals in this category and subject to a management plan approved by CapeNature, the following additional steps must be taken:

- A fence maintenance patrol schedule must be implemented, with fence inspections taking place on a daily basis;
- Fence patrol logbooks must be kept up-to-date, including overall fence condition, vegetation encroachment, fire/flood damage, fence maintenance/repair, detail of voltage checks (which must be made available for inspection on request), etc.;
- Each energiser must be supplied with a back-up power source;
- Prescribed warning signs indicating electrified fences must be placed at all gates and along fences at prescribed regular intervals;
- Warning signs indicating dangerous wild animals must be placed at all gates and along fences.

Common Name	Fence Height	Fencing Specifications
Lion	2.4m	A minimum enclosure size of 2000 m ² for 4 animals. An additional 500m ² per animal above the minimum of 4. Diamond mesh or welded mesh of a minimum of 3mm

		<p>diameter to full height, foot of fence must be attached to concrete foundation at least 600mm deep and 200mm wide, alternatively an approved SANS gabion backfill with the same specifications, a 90° inside overhang of at least 600mm at the top of the fence with at least 6 single steel wire strands, of which 4 must be electrified (see diagram 1) with a minimum current strength of 6000V, attached to the bottom of the overhang AND 1 single electrified steel wire strand on the outside of the fence at a height of 200mm from ground level on offset of at least 500mm. A minimum of 6 electrified strands with a minimum current strength of 6000V must be mounted on the inside of the fence on offset brackets at least 250mm from the fence equally spaced across the entire height of the fence. A buffer fence of at least 1m high must be constructed at least 1.5m away from main fence.</p> <p>All entrances to the enclosure must be equipped with double sliding gates. The enclosure must be equipped with a safe/holding area in which the animals can be isolated for veterinary treatment or for cage cleaning and maintenance.</p> <p>The main fence and the overhang should be equipped with separate energisers.</p>
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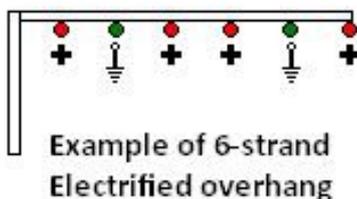
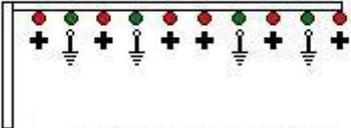


Diagram 1

<p>Leopard (these specifications can be applied to tiger, jaguar, puma, etc.)</p>	<p>3.0m</p>	<p>A minimum size of 500m² per animal, Diamond mesh or welded mesh of a minimum of 3mm diameter to full height, foot of fence must be attached to concrete foundation at least 600mm deep and 200mm wide, alternatively an approved SANS gabion backfill with the same specifications, a 90° inside overhang of at least 1m at the top of the fence with at least 10 single steel wire strands, of which 6 must be electrified (see Diagram 2) with a minimum current strength of 6000V, attached to the bottom of the overhang AND 1 single electrified steel wire strand on the outside of the fence at a height of 200mm from ground level on offset of at least 500mm. A minimum of 6 electrified strands with a minimum current strength of 6000V must be mounted on the inside of the fence on offset brackets at least 250mm from the fence equally spaced across the entire height of the fence. A buffer fence of at least 1m high must be constructed at least 1.5m away from main fence.</p> <p>All entrances to enclosure must be equipped with double sliding gates. The enclosure must be equipped with a</p>
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		<p>safe/holding area in which the animals can be isolated for veterinary treatment or for cage cleaning and maintenance. The main fence and the overhang should be equipped with separate energisers.</p>
 <p>Example of 10-strand electrified overhang</p>		
Diagram 2		
Brown hyena	2.0m	<p>A minimum area of 400m² for two animals with an additional 100m² per extra animal. Fence must be 60mm diamond mesh or welded mesh of at least 3mm diameter. A minimum of 6 electrified strands with a minimum current strength of 6000V must be mounted on the inside of the fence on offset brackets at least 250mm from the fence equally spaced across the entire height of the fence AND 1 single electrified steel wire strand on the outside of the fence at a height of 200mm from ground level on offset of at least 500mm. The foot of the fence must be anchored to a concrete foundation at least 600mm deep, alternatively an approved SANS gabion backfill with the same specifications. A buffer fence of at least 1m high must be constructed at least 1.5m away from main fence. All entrances to enclosure must be equipped with double sliding gates. The enclosure must be equipped with a safe/holding area in which the animals can be isolated for veterinary treatment or for cage cleaning and maintenance.</p>
Spotted hyena	2.0m	<p>A minimum area of 800m² for two animals with an additional 100m² per extra animal. Fence must be 60mm diamond mesh or welded mesh of at least 3mm diameter. A minimum of 6 electrified strands with a minimum current strength of 6000V must be mounted on the inside of the fence on offset brackets at least 250mm from the fence equally spaced across the entire height of the fence AND 1 single electrified steel wire strand on the outside of the fence at a height of 200mm from ground level on offset of at least 500mm. The foot of the fence must be anchored to a concrete foundation at least 600mm deep, alternatively an approved SANS gabion backfill with the same specifications. A buffer fence of at least 1m high must be constructed at least 1.5m away from main fence. All entrances to enclosure must be equipped with double sliding gates. The enclosure must be equipped with a safe/holding area in which the animals can be isolated for veterinary treatment or for cage cleaning and</p>

		maintenance.
African wild dog (these specifications also apply to wolves and similar sized canid predators)	2.0m	A minimum area of 800m ² for two animals with an additional 100m ² per extra animal. Fence must be 60mm diamond mesh or welded mesh of at least 3mm diameter. A minimum of 6 electrified strands with a minimum current strength of 6000V must be mounted on the inside of the fence on offset brackets at least 250mm from the fence equally spaced across the entire height of the fence AND 1 single electrified steel wire strand on the outside of the fence at a height of 200mm from ground level on offset of at least 500mm. The foot of the fence must be anchored to a concrete foundation at least 600mm deep, alternatively an approved SANS gabion backfill with the same specifications. A buffer fence of at least 1m high must be constructed at least 1.5m away from main fence. All entrances to enclosure must be equipped with double sliding gates. The enclosure must be equipped with a safe/holding area in which the animals can be isolated for veterinary treatment or for cage cleaning and maintenance.
Cheetah	2.4m	A minimum size of 800m ² per animal, Diamond mesh or welded mesh of a minimum of 3mm diameter to full height, foot of fence must be attached to concrete foundation at least 600mm deep and 200mm wide, alternatively an approved SANS gabion backfill with the same specifications, a 90° inside overhang of at least 1m at the top of the fence with wire mesh attached to the bottom of the overhang. A single electrified strand with a minimum current strength of 6000V must be mounted on the inside of the fence on offset bracket at least 250mm from the fence approximately 1.8m from ground level AND 1 single electrified steel wire strand on the outside of the fence at a height of 200mm from ground level on offset of at least 500mm. A buffer fence of at least 1m high must be constructed at least 1.5m away from main fence. All entrances to enclosure must be equipped with double sliding gates. The enclosure must be equipped with a safe/holding area in which the animals can be isolated for veterinary treatment or for cage cleaning and maintenance.
Smaller predators (serval, caracal, black-backed jackal, African wild cat, etc., and would include similar sized small predators)	2.4m	A minimum size of 400m ² for two animals with an extra 100m ² per additional animal, Diamond mesh or welded mesh of a minimum of 3mm diameter to full height, foot of fence must be attached to concrete foundation at least 600mm deep and 200mm wide, alternatively an approved SANS gabion backfill with the same specifications. 1 single electrified steel wire strand with a minimum current strength of 6000V on the outside of the fence at a height of 200mm from ground level on offset of at least 500mm. The enclosure must be covered by a roof of diamond mesh or welded mesh. A buffer fence of at least 1m high must be constructed at least 1.5m away from main fence.

		All entrances to enclosure must be equipped with double sliding gates. The enclosure must be equipped with a safe/holding area in which the animals can be isolated for veterinary treatment or for cage cleaning and maintenance.
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11. Conclusion

To enhance better decision-making regarding the issuing of permits related to the enclosure or captivity of wild animals within the Western Cape, an appeal is directed to all personnel dealing with such applications not to deviate from the abovementioned procedures under any circumstances.

Any decision taken contrary to the dictates of this policy, by any employee of the Western Cape Nature Conservation Board, including any member of the Executive and any member of the Board, shall be accompanied by a written motivation which shall also be endorsed by a prior or subsequent written confirmation of such decision by a full sitting (all members or their proxies) of the Wildlife Advisory Committee of the Western Cape Nature Conservation Board.

If any uncertainty exists regarding specific applications, please contact the Programme Manager: Wildlife Management and/or Scientific Services immediately.

This policy may be modified from time to time as new information becomes available or as national legislation may prescribe.

12. References

Applicable Legislation, Policies and Conventions

This section provides a list of the most relevant legislation, policies and international conventions. This list is, however, not exhaustive.

International Conventions and Policies:

- CITES
- Convention on Biological Diversity
- Other relevant IUCN SSC Specialist Group recommendations

National Legislation:

- Constitution of the Republic of South Africa, Act 108 of 1996
- National Environmental Management Act 107 of 1998 ("NEMA"), as amended
- National Environmental Management: Biodiversity Act 10 of 2004 ("NEMBA"), as amended
 - Threatened or Protected Species Regulations, R. No 152 of 23 February 2007, as amended, "TOPS"
 - Other relevant regulations as may be promulgated in terms of NEMBA
- National Environmental Management: Protected Areas Act 57 of 2003 ("NEMPAA"), as amended
- Promotion of Administrative Justice Act 3 of 2000 ("PAJA")
- Animal Diseases Act 35 of 1984
- Game Theft Act 105 of 1991
- Agricultural Pests Act 36 of 1983
- Performing Animals Protection Act 24 of 1935
- Animals Protection Act 71 of 1962
- Animal Matters Amendment Act of 1993
- Fencing Act 31 of 1963

- National Road Traffic Act 93 of 1996
- Advertising on Roads and Ribbon Development Act, no. 21 of 1940
- National Veld and Forest Fire Act 101 of 1998

Provincial Legislation:

- Nature Conservation Ordinance, Ordinance 19 of 1974 (“the Ordinance”)
- Proclamation 955 of 1975
- Cape Roads Ordinance 19 of 1976

Local Authority Legislation

- Local authority and municipal by-laws relevant to the keeping of animals

Other Applicable Documents (e.g. policies, moratoria, etc.):

- Western Cape Game Translocation and Utilisation Policy, February 2011.
- Policy guidelines and procedures for the management of bontebok (*Damaliscus pygargus pygargus*) in the WCP.
- National Norms and Standards for the Management of Elephants in South Africa (“ENS”), Government Notice no. 251 of 2008, published in Government Gazette no. 30833 dated 29 February 2008
- South African National Standard 1884:2004, Holding pens for temporary housing of Animals, Part 1: Holding pens for wild herbivores at auctions and in quarantine facilities
- South African National Standard 10331, Translocation Of Certain Species Of Wild Herbivore
- South African National Standard 60333–2-76:2006 Edition 2.1 Household and similar electrical appliances -- Safety Part 2-76 Particular requirements for electric fences
- SANS 10222-3:2011 Electric security installations Part 3: Electric fences (non-lethal)
- SANS 10222-4:2010 Electric security installations Part 4 Electric fence energizers



Annexure 1

HEAD OFFICE

postal Private Bag X (Head Office)
physical Head Office
website www.capenature.co.za
enquiries
telephone **fax**
email
reference
date

Landowner full name
 Farm Name
 Farm address
Nearest Town
 Postal Code

Dear Sir/Madam

EXEMPTION FOR CERTAIN SPECIES NOT LISTED ON CERTIFICATE OF ADEQUATE ENCLOSURE NO.

1. I refer to your application dated 2013 for the issuance/renewal of your certificate of adequate enclosure for the property:

Farm Name (as per CoAE):

Title Deeds (as per CoAE):

2. Section 35(1) of the Nature Conservation Ordinance, 19 of 1974 states that a certificate of adequate enclosure may only be issued in respect of protected wild animals.

3. The following wild animals that are present on the above-mentioned property do not qualify to be listed on a certificate of adequate enclosure in that they are not listed in Schedule 2 of the Ordinance as protected wild animals. The provisions of section 36 of the Ordinance therefore do not apply to these wild animals.

<u>Species</u>	<u>Common Name</u>	<u>Number</u>

4. In terms of section 80 of the Ordinance and in respect of the wild animals listed under paragraph 3 of this document, exemption is hereby granted from the following provisions of the Ordinance:

- section 29(b) hunting with the aid of artificial light,
- section 29(d) hunting by means of any trap, for the sole purpose of game capture,
- section 29(e) hunting during the period one hour after sunset on any day and one hour before sunrise on the following day
- section 29(h) hunting by means of a fire-arm which discharges more than two shots without being manually reloaded
- section 29(i) hunting by means of a bow-and-arrow;

- section 31(1) keeping wild animals in captivity (in respect of wild animals listed in this exemption that have been captured for the purpose of sale on the property in respect of which this exemption was issued); and
- section 33(1) use of motor vehicles or aircraft for the purpose of hunting wild animals or of filming or photographing a hunt, etc., of such animals

5. This exemption is applicable to you, your relatives, your full-time employees (acting on your written instruction) and to any other person hunting on your property in accordance with the provisions of the Ordinance.

6. This exemption is subject to the following conditions:

6.1 This exemption is valid until **...(same expiration date as CoAE)...**, and should be renewed in conjunction with Certificate of Adequate Enclosure no. before such expiry date.

6.2 This exemption shall lapse upon the transfer or lease of the land or of any portion of such land in respect of which it was issued.

6.3 This exemption is only valid for the property listed herein and specified in Certificate of Adequate Enclosure no.

6.4 This exemption does not apply to the import into, export from or transport in or through the Western Cape Province of any wild animals listed herein.

6.5 As the holder of this exemption, you are still bound by all other legal requirements applicable to the wild animals listed herein.

Yours faithfully

CHIEF EXECUTIVE OFFICER

Annexure 2

Guideline: Minimum aspects for a business / management plan for free-roaming large predators

1. **Date of completion**
2. **Name of facility/property/farm**
 - 2.1. Title deed number(s)
3. **Mission and vision**
4. **Species and number of animals**
 - 4.1. The maximum capacity per species provided for at the facility
 - 4.2. **For existing facilities:**
 - 4.2.1. Current stock species and numbers
 - 4.2.2. Summary of annual mortalities per species for the last 5 years
 - 4.2.3. Summary of annual births per species for the past 5 years
5. **Husbandry and animal welfare (i.e. physiological, psychological, and physical needs)**
 - 5.1. Feeding, with attention to
 - 5.1.1. Type and availability of prey species
 - 5.1.2. Predation register
 - 5.1.3. Supplementary feeding
 - 5.2. Maps and complete scale-diagrams of facilities/fencing, architects plans etc.:
 - 5.2.1. Size of the facility (the total footprint of the facility on the property)
 - 5.2.2. Map showing location of the facility on the property
 - 5.2.3. Specifications of the perimeter fence of the facility
 - 5.2.4. Detailed plan for enclosures to allow for temporary separation of animals for veterinary, quarantine and rehabilitation purposes.
6. **Animal health and veterinary care** (injury, disease etc.) (incl. contact details of the local vet and relevant expertise)
7. **Transportation and movement of animals**
 - 7.1. Welfare during transport
 - 7.2. Responsibilities
 - 7.3. Transportation facilities
 - 7.4. Transportation standards (see IATA, SABS 0331 & relevant legislation)
8. **Stock record keeping (e.g. ISIS: ARKS)**
 - 8.1. Systems to keep records of all animals held at the facility
 - 8.2. Description of marking methods used.
9. **Standard operating procedures (SOP)**
 - 9.1. All SOP's utilised at the facility
 - 9.2. Security measures to prevent escapes and/or theft
 - 9.3. Safety protocols
 - 9.4. Disease management protocols to prevent and control the spread of the diseases inside the facility
 - 9.5. Fire management plan

- 9.6. Methods utilised to prevent breeding of species (this is for species where no approved breeding programme exists)
- 9.7. Euthanasia protocols
- 9.8. Titles of Policies in place which affect management at this facility (provide a list)
10. **Personnel and personnel training (incl. details of staff, training and individual areas of expertise)**
11. **Public safety/security**
 - 11.1. Insurance (amount and with which insurer (incl. statement from insurer)
 - 11.2. Full details of fencing, gates, electrification, back-up generators etc.
 - 11.3. Exits (incl. emergency exits)
 - 11.4. Signage
 - 11.5. Protection of the public
12. **Escapes (details of action plan and emergency procedures)**
13. **Describe the role this establishment will play in conservation, rehabilitation education and / or research**
14. **Animal transactions**
 - 14.1. Acquisitions and reproduction
 - 14.2. Disposal
 - 14.3. Euthanasia
15. **Release / re-location (where applicable) plan**

(Provide details for species for which releases are contemplated, and methods of conditioning and release)
16. **Breeding (if applicable)**
 - 16.1. List of species for which breeding is intended and indicate breeding programme for each such species
 - 16.2. Description of the number and age (if known or appropriate) of males and females that comprise the parental breeding stock and intended disposal destination of progeny.
17. **Exit Strategy**
18. **Details of short, medium and long term plan including action plan in a worst case scenario (i.e. failure/closure of the establishment, disaster management, diseases outbreak etc.)**
19. **Proof of notification of neighbouring property owners; and local government approvals.**
20. **Compliance with relevant SABS / SANS standards.**

Annexure 3

Guideline: Minimum aspects for a business / management plan for keeping wild animals in captivity

1. **Date of completion**
2. **Name of facility**
3. **Mission and vision**
4. **Species and number of animals**
 - 4.1. The maximum capacity per species provided for at the facility
 - 4.2. **For existing facilities:**
 - 4.2.1. Current stock species and numbers
 - 4.2.2. Summary of annual mortalities per species for the last 5 years
 - 4.2.3. Summary of annual births per species for the past 5 years
5. **Husbandry and animal welfare (i.e. physiological, psychological, and physical needs)**
 - 5.1. Animal welfare and well-being:
 - 5.1.1. Freedom from hunger, thirst and malnutrition
 - 5.1.2. Freedom from discomfort
 - 5.1.3. Freedom from pain, injury and disease
 - 5.1.4. Freedom to express normal behavior
 - 5.1.5. Freedom from fear and distress
 - 5.2. Enclosure/accommodation and environmental design
 - 5.2.1. Environmental security
 - 5.2.2. Environmental complexity
 - 5.2.3. Environmental achievement
 - 5.2.4. Environmental novelty
 - 5.2.5. Safety and protection from injury for animals, staff and visitors
 - 5.3. Feeding, food and food hygiene
 - 5.4. **Facility design and lay-out (include maps and complete scale-diagrams of cages/facilities/fencing, architect's plans etc.):**
 - 5.4.1. Size of the facility (the total footprint of the facility on the property)
 - 5.4.2. Map showing location of the facility on the property
 - 5.4.3. Specifications of the perimeter fence of the facility
 - 5.4.4. Detailed plan showing the layout and full specifications, including;
 - 5.4.4.1. Positions, dimensions and materials of all existing and proposed enclosures and cages at the facility
 - 5.4.4.2. Food preparation and storage unit, chiller / fridge space and freezer space dimensions and position in facility
 - 5.4.4.3. Provisions to ensure the availability of sufficient surplus enclosures to allow for temporary separation of animals
 - 5.4.4.4. Positions, dimensions and materials of veterinary, quarantine and rehabilitation facilities
 - 5.4.4.5. Table providing the enclosure identification number, species and the number of individuals to be housed in each enclosure

6. **Animal health and veterinary care (injury, disease etc.)**
7. **Veterinary facilities (incl. contact details of the local vet and relevant expertise)**
8. **Transportation and movement of animals**
 - 8.1. Welfare during transport
 - 8.2. Responsibilities
 - 8.3. Transportation facilities
 - 8.4. Transportation standards (see IATA, SABS 0331 & relevant legislation)
9. **Stock record keeping (e.g. ISIS: ARKS)**
 - 9.1. Systems to keep records of all animals held at the facility
 - 9.2. Description of marking methods used.
10. **Standard operating procedures (SOP)**
 - 10.1. All SOP's utilised at the facility
 - 10.2. Security measures to prevent escapes and/or theft
 - 10.3. Safety protocols
 - 10.4. Disease management protocols to prevent and control the spread of the diseases inside the facility
 - 10.5. Fire management plan
 - 10.6. Methods utilised to prevent breeding of species (this is for species where no approved breeding programme exists)
 - 10.7. Euthanasia protocols
 - 10.8. Titles of Policies in place which affect management at this facility (provide a list)

(Note: SOP's to include water, feeding, cleaning and inspection provisions).
11. **Personnel and personnel training (incl. details of staff, training and individual areas of expertise)**
12. **Visitors facilities (indicate locality on plan diagram)**
 - 12.1. First aid
 - 12.2. Toilets
 - 12.3. Parking
 - 12.4. Provisions for particular needs
13. **Public safety/security**
 - 13.1. Insurance (amount and with which insurer (incl. statement from insurer)
 - 13.2. Enclosures (full details of fencing, gates, electrification, back-up generators etc.)
 - 13.3. Exits (incl. emergency exits)
 - 13.4. Signage
 - 13.5. Maintenance (buildings, structures and areas accessible to the public).
 - 13.6. Protection of the public
14. **Escapes (details of action plan and emergency procedures)**
15. **Describe the role this establishment will play in conservation, rehabilitation education and / or research**
16. **Animal/human contact areas (if any), especially in the case of rehabilitation facilities**
17. **Ecological impact / Risk assessment, including proof of compliance with EIA legislation**
18. **Animal transactions (especially in the case of rehabilitation facilities)**
 - 18.1. Acquisitions and reproduction

- 18.2. Disposal (in the case of rehabilitation facilities, a release / reintroduction plan setting out **fully** the plan of action after an animal has been successfully rehabilitated)
- 18.3. Euthanasia

19. Release / re-location (where applicable) plan

(Provide details for species for which releases are contemplated, and methods of conditioning and release)

20. Breeding (if applicable)

- 20.1. List of species for which breeding is intended and indicate breeding programme for each such species
- 20.2. Description of the number and age (if known or appropriate) of males and females that comprise the parental breeding stock and intended disposal destination of progeny.

21. Exit Strategy

22. Details of short, medium and long term plan including action plan in a worst case scenario (i.e. failure/closure of the establishment, disaster management, diseases outbreak etc.)

23. Proof of notification of neighbouring property owners; local government approvals and proof of other registrations (i.e. PAAZAB Institutional Membership, EMOA or EMA AND the ETA (Elephant Tourism Association) (only in the case of elephants), NSPCA and / or Performing Animals Act, provide copies of proof).

24. Compliance with relevant SABS / SANS standards (e.g. SANS 10379:2005, 1881-1:2004, 0331:2000).

25. Specific information relating to elephants

(Required in terms of the national Norms and Standards for management of elephants)

- 25.1. Purpose of keeping captive elephants and proposed uses of the elephants
- 25.2. Projected elephant numbers for next 5, 10 and 20 years
- 25.3. Control of elephant population sizes – management options to be used if required
- 25.4. Proof of notification of neighbours
- 25.5. Measures to prevent poaching, unnecessary and/or deliberate disturbances and harassing
- 25.6. Provision for adequate insurance
- 25.7. Contingency plans to deal with elephant problems (including contact details of responsible manager, veterinary practitioner and capture operator/s)
 - 25.7.1. in the case of the fence being unable to contain the elephants, and
 - 25.7.2. in the case of the alteration of the habitat beyond acceptable limits
- 25.8. Description of housing facilities
- 25.9. Description of activities, training methods and tools used
- 25.10. Identification characteristics of individual elephants (to be provided to the issuing authority within 30 days after approval)
- 25.11. Serial numbers of transponders (microchips or any other current form of tracking for elephants more than two (2) years old) to be inserted (to be provided to the issuing authority within 30 days after approval)
- 25.12. Description of provisions to minimise stress and trauma to the elephants
- 25.13. Description of provisions to cater for the social structure of the elephants
- 25.14. Description of projected growth patterns and measures for population management
- 25.15. Description of provisions relating to veterinary care
- 25.16. The complete history of each individual:
- 25.17. Origin of the elephants (e.g. location, habitat, fencing and size of reserve/farm); and
- 25.18. The age of elephants
- 25.19. Emergency procedures describing the following:
 - 25.19.1. Reactive and preventative procedures for elephants out of control, injured or sick elephants;

- 25.19.2. Personnel emergency procedures including reactive and preventative procedures aimed at stabilising elephants out of control and managing injured staff, guests or elephants; and
- 25.19.3. Guest emergency procedures.