



Witzands Aquifer Nature Reserve

Permissible Activities – Off Road and Dirt Road Vehicles

CODE OF CONDUCT

The Witzands Aquifer Nature Reserve (the WANR) is a Protected Area in terms of the National Environmental Management: Protected Areas Act, 57 of 2003 (the NEM: PAA). The City of Cape Town has been designated as the Management Authority of the WANR. Permitted activities in the WANR are subject to compliance with the City of Cape Town Nature Reserve By-law of 2020 (Provincial Extraordinary Gazette 8387 of 18 February 2021), hereafter referred to as the By-law, and the NEM: PAA Regulations for the Proper Administration of Nature Reserves (GNR. 99 of 8 February 2012).

This Code of Conduct is a Protected Area Notice issued in terms of Section 6 of the City of Cape Town Nature Reserve By-law, 2020.

Definitions

“authorised official” means an employee of the City responsible for carrying out any duty or function or exercising any power and includes employees delegated to carry out or exercise such duties, functions or powers.

“City” means the City of Cape Town, a municipality established by the City of Cape Town Establishment Notice No. 479 of 22 September 2000, issued in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), or any structure or employee of the City acting in terms of delegated authority.

“code of conduct” means a written set of specific rules for the use of a specific nature reserve by users.

“nature reserve” means an area proclaimed, protected or published in any government or provincial gazette in terms of any law for the purposes of nature conservation in the City, and which is managed by the City or designated management authority where there is a co-management agreement in place.

“notice” includes a written notification or prohibition, determined by the City, being prominently displayed in writing, optionally combined with the use of pictograms, or a notice board erected at or near a nature reserve point of entry or exit, and “notify” shall have a corresponding meaning.

“recreational area” means any area set aside in terms of the management plan for general or specific recreational use by the public inside a nature reserve.

“service provider” means an individual or entity or company that provides a service to another party.

“vehicle” means anything defined as a motor vehicle in terms of the National Road Traffic Act, 1996 (Act No. 93 of 1996); or any conveyance designed or adapted principally to travel on wheels or tracks.

“written authorisation” means written consent issued by an authorised official of the City.

1. Access

- 1.1. Access to the Witzands Aquifer Nature Reserve is subject to the National Environmental Management: Protected Areas Act (Act 57 of 2003), Regulations for the Proper Administration of Nature Reserves (Regulation No. R. 99, 8 February 2012), City of Cape Town By-laws and applicable Codes of Conduct.
- 1.2. All rules, regulations and notices stipulated on signage must be adhered to at all time(s) when entering the nature reserve.
- 1.3. Persons entering the nature reserve shall abide by the speed limit of 20km/h as indicated on signage. The speed limit in the nature reserve varies by location and type. Paved areas: The maximum speed limit is 20 kilometres per hour (km/h). Recreational Use Special Management Area: A speed limit of as slow as possible and only as fast as reasonably necessary.
- 1.4. Drivers of motor vehicle must be in possession of a valid license to do so.

2. Important Safety Information

- 2.1 The facility you are entering / activity you are participating in may involve natural or manmade risks, dangers and hazards.
- 2.2 Your safety and the safety of other visitors is important.
- 2.3 **Take time to learn and practice.** Take time to become familiar with how the vehicle works and handles off-road. Practice in a safe area, until you build your skills and get accustomed to the vehicle. Many incidents involve inexperienced or untrained drivers. We urge all drivers to take an off-road vehicle driving course.
- 2.4 **Be alert to off-road hazards.** The terrain can present a variety of challenges when you drive off-road. Continuously “read” the terrain for unexpected drop-offs, inclines and other hazards. Always keep your speed low enough to allow time to see and react to these hazards.

3. Environmental responsibility

- 3.1 The Witzands Aquifer Nature Reserve forms part of the City of Cape Town’s Biodiversity Network and conserves a unique diversity of natural and cultural heritage resources.
- 3.2 Driving off-road is a wonderful way to explore our unique diversity of natural and cultural heritage resources but vehicles have the capacity to severely damage sensitive ecosystems – we owe it to future generations to be careful when driving off-road. Please care for the environment and the rights of others, be they the local community or fellow off-roaders. Understand the consequences of off-roading, if necessary attend a training course that covers off-road technique, the environment and vehicle recovery. Plan your trip and leave a good impression.
- 3.3 Stay within the designated Recreational Use Special Management Area and avoid creating new tracks. Off-road vehicles should stay in the tracks of the vehicles ahead of them. This practice makes for easier/safer driving in loose sand and is good for the environment.
- 3.4 Travel in terrain that is suited to your vehicle.
- 3.5 Adhere to speed limits even in off-road situations. A speed limit of as slow as possible and only as fast as reasonably necessary is applicable in the Recreational Use Special Management Area.
- 3.6 Respect the local community, fauna and flora.
- 3.7 Practice safe convoy rules.
- 3.8 Practice safe recovery techniques and restore any possible damage after stuck vehicles haven been extricated.
- 3.9 Reduce tyre pressure. A softer tyre causes less damage and gives more traction. Engage 4x4 when leaving the paved area.
- 3.10 Become aware of sensitive areas and avoid them at all cost.
- 3.11 Never drive over sensitive dune vegetation as it provides food and shelter for fauna that live in the area.
- 3.12 It is important to note that our facilities/venue is based in a nature reserve. This means that we strive for the implementation of best-practice principles: **saving energy, saving water, reducing waste and protecting biodiversity**. We ask that you assist us with this goal.

4. Parking

- 4.1 The Witzands Aquifer Nature Reserve has a limited number of parking bays available. Parking is on a strictly first-come-first-served basis. The use of car-pooling is recommended to reduce the number of vehicles in the nature reserve parking area.
- 4.2 No person shall reserve a parking bay without the written authorisation of the management authority.
- 4.3 Service providers shall be allowed one branded vehicle (that fits within a single parking bay) per service provider. All extra vehicles shall be parked at the service provider’s depot. This is inclusive of the service provider’s employee vehicles.

5. Tours and tour groups

- 5.1 Any person who, for monetary or other reward accompanies people who are travelling through or visiting a nature reserve must be in possession of a valid tour guide’s certificate as required by the Tourism Act (Act 3 of 2014) and a valid first aid certificate.
- 5.2 The service provider shall ensure that the nature reserve rules and regulations are available and kept up to date on their booking platform.
- 5.3 The service provider shall ensure that clients acknowledge receipt of the nature reserve rules and regulations.
- 5.4 The service provider shall ensure that clients are briefed prior to commencement of the activity, i.e. safety instructions, nature reserve rules and regulations, etc are conveyed to the client.
- 5.5 The entrance/exit to the Recreational Use Special Management Area is a go-slow area. All persons entering or exiting the Recreational Use Special Management Area shall travel at reduced speed to ensure safety.
- 5.6 The service provider shall communicate with other service providers to ensure that there is sufficient flow between activities.
- 5.7 The service provider shall communicate the number of clients that will be on the activity to the management authority and other service providers.
- 5.8 The service provider, clients and public shall work within a framework of “span of control”.
 - 5.8.1 Activity involving 1 – 9 vehicles 1 tour guide
 - 5.8.2 Activity involving 10 – 20 vehicles 2 tour guides
 - 5.8.3 Activity involving more than 20 vehicles Refer to 5.8.1 and 5.8.2 above
- 5.9 The service provider shall be responsible for the supervision and safety of their clients at all times.

6. Vehicles

- 6.1. Vehicles shall be operated in accordance with the manufacturer's guidelines and instructions.
- 6.2. Vehicles shall be serviced and maintained by the owner in accordance with the manufacturer's guidelines and instructions.
- 6.3. Vehicles with mechanical issues must be removed from the nature reserve immediately.
- 6.4. The service provider's tour guide vehicles shall be fitted with a buggy whip complete with sleeve and reflective safety flag to a length of 2 – 3 m. Buggy whips are used to display the location of the service provider's vehicle and tour group.
- 6.5. The service provider shall arrive at the nature reserve with vehicles already fuelled up and in a good working condition.
- 6.6. No refuelling of vehicles shall be permitted in the Recreational Use Special Management Area.
- 6.7. The service provider shall have a fire extinguisher on standby.
- 6.8. The service provider shall have a drip tray for fuel.
- 6.9. No mechanical repairs shall be permitted inside the nature reserve. This includes the changing of oil, chains and clutch issues etc.
- 6.10. Random checks will be conducted by the City of Cape Town Officials and Visitor Management Staff to ensure compliance.

7. Health and safety

- 7.1 Your safety and the safety of all visitors is very important.
- 7.2 The facility you are entering / activity you are participating in may involve natural or manmade risks, dangers and hazards.
- 7.3 By entering this nature reserve and participating in activities in the nature reserve, all visitors, service providers and their clients grant an indemnity in favour of the City of Cape Town (the City), its Council, Council members, staff members, officials and other persons authorised by the City against any loss, expenses, damage, injury of whatsoever nature, or death, suffered by any visitor (person or property) as a result, directly or indirectly, which may come about during a visit at this nature reserve. The indemnity extends to any activities which a visitor and/or client may take part in during such a visit.
- 7.4 The service provider is required to undertake all reasonable steps in conducting of the activity to prevent and limit the occurrence of any environmental or health hazards and to ensure the health and safety of their clients, private parties and the general public.
- 7.5 The service provider shall ensure that all tour guides have a First Aid Level 1-2 accreditation. An Accredited First Aid Certificate must be provided on request by a City of Cape Town Official to prove competency.
- 7.6 The safety and wellbeing of injured clients remains the responsibility of the service provider. In case of an accident and/or injury, the service provider shall stop the tour and stay at the scene, help anyone who has been hurt and call for Medical Assistance, record the information of everyone involved in the accident and/or injury and report the accident and/or injury to the applicable authorities (e.g. South African Police Service, Management Authority).
- 7.7 The service provider shall be responsible to contact medical services in case of an accident and/or injury and ensuring an ambulance service is activated, should it be needed
- 7.8 In the event of an accident and/or injury, clients must be stabilised and assessed before being moved or continuing with the tour.
- 7.9 Under no circumstances may the service provider leave injured clients alone in the nature reserve.
- 7.10 If the tour guide is unsure of the severity of the injuries, it is to be reported to the service provider as well as the management authority of the nature reserve.

8. Conflict management

- 8.1. The service provider shall be responsible for handling any dispute which may arise between the service provider and the client.
- 8.2. The service provider shall be responsible for handling any dispute which may arise between the service provider and another service provider.
- 8.3. Conduct unacceptable to the City of Cape Town will not be tolerated. No person shall use abusive or threatening language, fight or act in a riotous or physically threatening manner. The City of Cape Town reserves the right to remove any such service provider or client from its premises.

9. Other activities

- 9.1 All persons shall be mindful of other permissible activities taking place in the nature reserve e.g. hiking, sandboarding, quad biking, film shoots and events.
- 9.2 All persons shall avoid disturbance of abovementioned permissible activities and use alternative routes.
- 9.3 All persons shall be mindful of activities taking place in and around the multipurpose centre, e.g. multipurpose hall bookings, environmental education programmes, meetings, etc. and keep noise disturbance to a minimum.
- 9.4 All persons shall treat co-users with due respect and shall at all times behave in a professional manner.

10. Permits and operating hours

- 10.1 The nature reserve is open from 07:00 to 19:00 (September to February) and from 08:00 to 18:00 (March to August).
- 10.2 The permit office is open from 08:00 to 12:30 and from 13:00 to 15:30 (Monday to Sunday).
- 10.3 Permits are per access per day only. The permit expires on exit.
- 10.4 The service provider shall be responsible for purchasing the permit on behalf of their client. The aim is to better manage the expectations of visitors and the volume of people to the nature reserve.

- 10.5 No individual/organisation may purchase more than 50% of all daily permits. Permits are not transferable and may not be resold commercially without the written consent of the management authority.
- 10.6 Daily gate limits are aimed at improving the spread of vehicles and permissible activities and preventing unnecessary waiting periods at the gate. The day visitor limit for the nature reserve is a management tool to prevent overcrowding of the recreational area and public facilities. Pre-booked day visitors will get preference over non-booked day visitors at the gate, but must ensure that they arrive within their booked time slots.
To ensure a safe and pleasant visit to the nature reserve, the City urges visitors to book in advance with service providers and to observe the rules and regulations of the nature reserve.
- 10.6.1 The procedure for the gate limit system is that visitors should either arrive at the gate very early in the morning as the service is on a first-come-first-served basis, or pre-book their activity with the service provider.
- 10.6.2 Day visitor pre-bookings constitute 20% of the daily visitor limit, with 80% being kept open for visitors to enter on a first-come-first-served basis.
- 10.6.3 All guests (drivers and passengers) will be required to identify themselves upon admission by producing positive proof of identification.
- 10.6.4 Gate limits will be strictly applied and visitors without pre-bookings could be denied entry if the nature reserve reaches capacity.
- 10.6.5 If the daily limit of 80 permits (off-road vehicles) is reached, the entrance gate will effectively be closed. The daily gate limit provisions in the Code of Conduct will be implemented from 12 August 2025.
- 10.7 The service provider shall ensure that the last tour ends by no later than one hour before the nature reserve closing time.
- 10.8 No late tours and/or exiting of the nature reserve shall be permitted without a valid reason.
- 10.9 No commercial tours shall be permitted to the Witzands Aquifer Nature Reserve on Mondays (except where the Monday falls on a Public Holiday). These days are reserved for non-commercial off-roading, sandboarding and quad biking, as well as for walking, bird watching, Environmental Education and filming. This restriction will be implemented from 12 August 2025.

11. Food and alcohol

- 11.1 The consumption of food and drink while driving affects driving ability and poses an even greater risk to the driver, passenger, and pedestrian. Food and drink must be safely stored in/on the vehicle while driving.
- 11.2 No alcohol and/or illegal substances may be brought into the nature reserve.
- 11.3 No person under the influence of alcohol and/or illegal substances will be allowed to operate a vehicle in the nature reserve.
- 11.4 The service provider must inform their clients about the prohibition of alcohol and alcohol consumption inside the nature reserve.

12. Proof of entry

- 12.1 Where a written authorisation, or entry permit, is required for entry to a nature reserve, a person who enters the nature reserve in a vehicle or on foot, must ensure that the written authorisation or entry permit is in his or her possession, and available for inspection at all times until he or she leaves the nature reserve.

13. Specified activities

- 13.1 No person may undertake any filming and simultaneously transmitting of photographic images using a webcam or other image recording or transmitting device, including trail cams in a nature reserve except with written authorisation from the City and in accordance with an approved management plan or environmental management plan.

14. Compliance Notice

- 14.1 An authorised official may serve a written compliance notice on a person in terms of section 41 of the bylaw if there are reasonable grounds for believing that the person is in non-compliance with this Code of Conduct.
- 14.2 Should the person on whom a compliance notice under subsection 14.1 was issued, fail to comply, or inadequately comply, with the compliance notice, then the City may take measures that the City considers appropriate to remedy the situation, including issuing a fine, taking steps to remedy any adverse effect arising from the person's actions and recover the costs of doing so, or institute a criminal prosecution.
- 14.3 Any person may appeal against an administrative decision (such as a Compliance Notice) taken by an authorised official in terms of the By-law in accordance with the provisions of section 62 of the Local Government: Municipal Systems Act, 32 of 2000.

15. Compliance and Enforcement

- 15.1 Any person who –
 - (a) contravenes a provision of the By-law or this Code of Conduct;
 - (b) contravenes any conditions, restrictions or prohibitions imposed in terms of this Code of Conduct;
 - (c) fails to comply with the terms of any notice or signage displayed in terms of this Code of Conduct;
 - (d) contravenes a lawful instruction given by an authorised official in terms of this Code of Conduct;
 - (e) threatens, obstructs, hinders or uses abusive language to an authorised official or a person lawfully accompanying the authorised official in the exercise of a power conferred in terms this Code of Conduct;

commits an offence and may be subject to a fine or upon conviction to imprisonment, or to both a fine and imprisonment.

16. Penalties

- 16.1 Any person who is non-compliant with the By-law or this Code of Conduct may be issued a compliance notice, or liable to a fine, or to be banned from the nature reserve for a period of time.
- 16.2 The City must provide to a person whom it is considering to ban a written notice of its intention to ban such person in terms of section 44(6) of the By-law. Such a person shall have seven days from the date of receipt of the notice to provide reasons why the City should not ban such person.
- 16.3 Any person issued with a ban may make written representations to the Director: Environmental Management as to why the ban should be lifted or reduced in length within 48 hours of the receipt of the ban notice.

Delegated Authority:

Julia Wood

Branch Manager
Biodiversity Management Branch
Environmental Management Department