

(1 August 2019 – to date)

MARINE LIVING RESOURCES ACT 18 OF 1998

(Gazette No. 18930, Notice No. 747. Commencement date: 1 September 1998 [Proc. No. 80, Gazette No. 19148])

DECLARATION OF AREAS AS MARINE PROTECTED AREAS

Government Notice R1429 in Government Gazette 21948 dated 29 December 2000. Commencement date: 29 December 2000

As amended by:

Government Notice 1073 in Government Gazette 39379 dated 6 November 2015. Commencement date: 1 December 2015.

Government Notice 1578 in Government Gazette 40510 dated 19 December 2016. Commencement date: 19 December 2016.

Government Notice 772 in Government Gazette 42478 dated 23 May 2019. Commencement date: 1 August 2019.

Government Notice 788 in Government Gazette 42479 dated 23 May 2019. Commencement date: 1 August 2019.

I, Mohammed Valli Moosa, Minister of Environmental Affairs and Tourism, hereby under Section 43 of the Marine Living Resources Act, 1998 (Act No. 18 of 1998), declare the areas as indicated in the Schedule to be marine protected areas and hereby assign to the marine protected areas the names indicated in the Schedule.

SCHEDULE

1.

- (1) In this notice any word or expression to which a meaning has been assigned in the Act shall bear the meaning as assigned to it unless the context indicates otherwise.
- (2) For the purposes of this notice all geographic co-ordinates are based on the World Geodetic System (WGS) 84 (G730) datum.

2. DESCRIPTION OF BOUNDARIES OF MARINE PROTECTED AREAS

Prepared by:

- (1) The **Castle Rock Marine Protected Area** (previously known as the Millers Point Marine Reserve) in the Western Cape Province is bounded by, as western boundary, the high-water mark, as northern boundary, a line (084° true bearing) drawn from the beacon marked VBI (34°14'.1S; 018°28'.508E), situated opposite Bakoven Rock to the south of Millers Point, as southern boundary, a line (111° true bearing) drawn from the beacon marked VB2 (34°15'.48S; 018°28'.344E) situated on Baboon Rock, to the south of Partridge Point, and as eastern boundary, the longitude 018°29.7E.

- (2) The **Betty's Bay Marine Protected Area** (previously known as the H.F. Verwoerd Marine Reserve) in the Western Cape Province is bounded by, as northern boundary, the high-mark, as western boundary, and a line (180° true bearing) drawn from the beacon marked B1 (34°22'.45S; 018°53'.765E) situated at Stony Point, as eastern boundary, a line (180° true bearing) drawn from the beacon marked B4 (34°21'.357S; 018°56'.240E) situated to the east of "Jock-se-baai", and as southern boundary the latitude 34°24'.45S.

- (3) The **De Hoop Marine Protected Area** in the Western Cape Province is bounded by the high water mark, a line (114° true bearing) drawn from the beacon marked DH1, situated near Stilbaai Point (34°27'.13S; 020°52'.25E), another line (150° true bearing) drawn from the beacon marked DH2, situated between Rys Point and Skipskop (34°34'.94S; 020°21'.89E), and a seaward boundary, which is a series of straight lines joining the following positions, each three nautical miles from the shore:

34°28'.378S; 20°55'.653E,
 34°28'.385S; 20°55'.397E,
 34°30'.378S; 20°53'.904E,
 34°31'.295S; 20°51'.277E,
 34°31'.088S; 20°48'.865E,
 34°30'.416S; 20°45'.593E,
 34°29'.850S; 20°41'.128E,
 34°30'.438S; 20°34'.900E,
 34°32'.329S; 20°29'.699E,
 34°37'.600S; 20°23'.757E.

- (4) The **Goukamma Marine Protected Area** in the Western Cape Province is the area between the high-water mark and a line one nautical mile seawards of the high-water mark, and between, as eastern boundary, a line (090° true bearing) drawn from the point where the north-eastern boundary of Portion 1 of the farm Walker's Point reaches the high-water mark, and as western boundary, a line (180° true bearing) drawn from the point where the western boundary of the Goukamma Nature Reserve reaches the high-water mark.

- (5) The **Robberg Marine Protected Area** in the Western Cape Province includes the marine area around the Robberg Peninsula, near Plettenberg Bay, bounded by the latitudes 34°04'.916S and 34°07'.633S and longitudes 023°22'.300E and 023°25'.967E.

- (6) The **Sardinia Bay Marine Protected Area** in the Eastern Cape Province is the area between the high-water mark and a line one nautical mile seawards of the high-water mark, and between, as eastern boundary, a line (180° true bearing) drawn from the beacon marked PECR1 situated near Schoenmakerskop and, as western boundary, a line (180° true bearing) drawn from the beacon marked PECR2, situated near Bushy Park.
- (7)
(Dwesa-Cwebe Marine Protected Area withdrawn by GN 1073 in Government Gazette 39379 dated 6 November 2015. Commencement date: 1 December 2015. Declared under section 22A of the National Environmental Management: Protected Areas Act 57 of 2003)
- (8) The **Hluleka Marine Protected Area** in the Eastern Cape Province is the area between the high-water mark and a line six nautical miles seaward of the high-water mark, and between, as northern boundary, a straight line (135° true bearing) drawn from a beacon marked H1 situated in the Hluleka Nature Reserve where the game fence near the northern boundary of the nature reserve reaches the high-water mark, and, as southern boundary, a similar line drawn from the point where the southern boundary of the nature reserve reaches the high-water mark.
- (9) The **Mkambati Marine Protected Area** in the Eastern Cape Province is the area between the high-water mark and a line six nautical miles seawards of the high-water mark, and between, as northern boundary, a straight line (135° true bearing) drawn from the northern bank of the mouth of the Mntentu River, and, as southern boundary a similar line drawn from the southern bank of the mouth of the Msikaba River including the tidal portions of these two rivers.
- (10) The **Trafalgar Marine Protected Area** in the province of KwaZulu-Natal is the area between the high-water mark and a line one nautical mile seawards of the high-water mark, and between, as northern boundary, a line (090° true bearing) drawn from the beacon marked N1, situated at Centre Rocks and, as southern boundary, a line (090° true bearing) drawn from the beacon marked N2, situated opposite the southern boundary of the Mpenjati Public Resort.
- (11)
(St Lucia Marine Protected Area withdrawn by GN 772 in Government Gazette 42478 dated 23 May 2019. Commencement date: 1 August 2019. Declared under section 22A of the National Environmental Management: Protected Areas Act 57 of 2003)
- (12)
(Maputaland Marine Protected Area withdrawn by GN 772 in Government Gazette 42478 dated 23 May 2019. Commencement date: 1 August 2019. Declared under section 22A of the National Environmental Management: Protected Areas Act 57 of 2003)

- (13) The **Langebaan Lagoon Marine Protected Area** in the Western Cape Province is the area bounded by the high-water mark and, as a northern boundary, a line running from Leentjiesklip No. 2, (33°03'.707S; 018°02'.462E), towards Salamander Point (33°04'.323S; 017°59'.795E), until it meets the seaward boundary of the South African National Defence Force area, as demarcated by yellow buoys (Chart SAN SC 2), and then along this boundary to the yellow buoy east of Meeu Island (33°05'.166S; 018°00.809 E), and then along a straight line to Perlemoen Point on the western shore of Langebaan Lagoon (33°05'.590S; 018°00',211 E).
- (14) The **Sixteen Mile Beach Marine Protected Area** in the Western Cape Province is the area bounded by a line beginning at the high-water mark in Plankiesbaai (33°07'.106S; 017°58'.377E), and then running south-eastwards along the high-water mark to Rooipan se Klippe near Yzerfontein (33°20'.006S, 018° 09'.595 E), and then due westwards to longitude 018°08'.095E and then along a north-west line to the intersection of latitude 33°07'.107S and longitude 017°55'.96E and then to the point of beginning.
- (15) The **Malgas Island Marine Protected Area** in the Western Cape Province is the area below the high-water mark between latitudes 33°02'.806S and 33°03'.506S and longitudes 017°55'.261E and 017°55'.862E.
- (16) The **Jutten Island Marine Protected Area** in the Western Cape Province is the area below the high-water mark between latitudes 33°04'.706S and 33°05'.306S and longitudes 017°56'.961E and 017°57'.861 E.
- (17) The **Marcus Island Marine Protected Area** in the Western Cape Province is the area below the high-water mark between latitudes 33°02'.507S and 33°02'.806S and longitudes 017°57'.861E and 017°58'.361E.
- (18) The **Helderberg Marine Protected Area** in the Western Cape Province is the area between the high-water mark and a line 500 m seawards of the high-water mark, between, as western boundary, a line due south of the mouth of the Eerste River, and, as eastern boundary, a line due south of the mouth of the Lourens River, in False Bay.
- (19)

(Tsitsikamma Marine Protected Area withdrawn by GN 1578 in Government Gazette 40510 dated 19 December 2016. Commencement date: 19 December 2016. Declared under section 22A of the National Environmental Management: Protected Areas Act 57 of 2003)

3. STIPULATIONS: MARINE PROTECTED AREAS

- (1) The provisions of section 43(2)(a) of the Act shall not apply to—

- (a) the catching of linefish by recreational shore-angling in the Betty's Bay, Goukamma and Robberg Marine Protected Areas;
- (b) the catching of snoek (*Thyrsites atun*) by a person authorised to undertake commercial fishing from licensed local fishing vessel in the Castle Rock Marine Protected Area;
- (c) the catching of linefish in terms of a recreational fishing permit or netfishing permit in the Langebaan Lagoon Marine Protected Area, north of a line joining the beacons LB4, in Kraal Bay, on the western shore of the lagoon, and LB3 at Oesterwal, on the eastern shore of the lagoon;
- (d) the catching of linefish in terms of a netfishing permit in the Langebaan Lagoon Marine Protected Area south of a line joining beacons LB4 in Kraal Bay, on the western shore of the lagoon, and LB3 at Oesterwal, on the eastern shore of the lagoon, and north of a line joining beacons LB1 south of Churchhaven, on the western shore of the lagoon, and LB2 at Bottelary, on the eastern side of the lagoon;
- (e) the catching of linefish from a vessel, and the catching of West Coast rock lobster (*Jasus lalandii*) and abalone (*Haliotis midae*), in terms of recreational and commercial fishing permits, in the Sixteen Mile Beach Marine Protected Area
- (f) the catching of linefish from a vessel in terms of recreational and commercial fishing permits in the Malgas Island, Jutten Island and Marcus Island Marine Protected Areas;
- (g) the catching of linefish by recreational anglers from the shore, and the catching, including spearfishing, of pelagic bony fish of the families *Scombridae*, *Carangidae*, *Pomatomidae*, *Coryphaenidae*, *Rachycentridae*, *Xiphiidae*, *Ostiophoridae* and *Sphyraenidae*, the species *Aprion virescens*, as well as pelagic cartilaginous fish of the families *Cacharinidae*, *Isuridae*, *Sphymidae*, *Alopiidae* and *Odontaspidae* from a vessel in the Trafalgar Marine Protected Area, and in the restricted areas of the St Lucia and Maputaland Marine Protected Areas.

(The provisions of stipulation 3(1)(g) insofar as it relates to the St Lucia and Maputaland Marine Protected Areas have been repealed by GN 788 of 2019.)

(2)

(The provisions of stipulation 3(2) have been repealed by GN 788 of 2019.)

(3)

(The provisions of stipulation 3(3) have been repealed by GN 788 of 2019.)

(4)

(The provisions of stipulation 3(4) have been repealed by GN 788 of 2019.)

(5)

(The provisions of stipulation 3(5) have been repealed by GN 788 of 2019.)