

DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. R. 118

03 FEBRUARY 2016

**NATIONAL ENVIRONMENTAL MANAGEMENT: PROTECTED AREAS
ACT, 2003
(ACT NO. 57 OF 2003)**

**DRAFT REGULATIONS FOR THE MANAGEMENT OF THE
iSIMANGALISO MARINE PROTECTED AREA**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby publish for public comment, the draft Regulations for the Management of the iSimangaliso Marine Protected Area in terms of sections 48A(2) and 86(1)(a), (b), (c) and (d) of the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003), as set out in the Schedule hereto.

Any person who wishes to submit representations or comments in connection with the draft regulations are invited to do so within 90 days from the date of publication in the *Government Gazette* and by no later than 16h00 on the last day. Comments received after this time may not be considered. All representations and comments must be submitted in writing to the Deputy Director-General of the Department of Environmental Affairs, Branch Oceans and Coasts.

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**BOMO EDITH EDNA MOLEWA
MINISTER OF ENVIRONMENTAL AFFAIRS**

Schedule

1. Definitions

In these Regulations, unless the context indicates otherwise, a word or expression that is defined in the Act bears the same meaning in these Regulations, and in addition—

“Act” means the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003);

“alpha flag” means the “diver down” flag used to indicate that diving operations are in progress and other vessels must keep clear;

“certificate of competence” means a certificate of competence as defined in the National Small Vessel Safety Regulations, 2007;

“certificate of fitness” means a certificate of fitness as defined in the National Small Vessel Safety Regulations, 2007;

“Controlled Zone” means an area within the Marine Protected Area where limited fishing or any other activity in terms of section 48A(1) of the Act may take place if authorised in terms of these regulations as contemplated in terms of section 48A(2) of the Act or if authorised in terms of regulation 4(7);

“Controlled Pelagic Zone” means an area within the Marine Protected Area where limited fishing for pelagic fish or any other activity in terms of section 48A(1) of the Act may take place if authorised in terms of these regulations as contemplated in terms of section 48A(2) of the Act or if authorised in terms of regulation 4(7);

“environment” has the meaning assigned to it in section 1 of the National Environmental Management Act, 1998 (Act No. 107 of 1998);

“fish” means any aquatic plant or animal whether piscine or not, and any mollusc, crustacean, coral, sponge, holothurian or other echinoderm, reptile and includes their eggs, larvae and all juvenile stages, but does not include sea birds, seals or any marine mammal;

“fishing” or to **“fish”** means—

- (a) searching for, catching, taking or harvesting fish or an attempt to any such activity;
- (b) engaging in any other activity which can reasonably be expected to result in the locating, catching, taking or harvesting of fish;
- (c) placing, searching for or recovering any fish aggregating device or associated gear, including radio beacons;

- (d) any operation in support or in preparation of any activity described in this definition; or
- (e) the use of an aircraft in relation to any activity described in this definition;

“hovercraft” means a craft that floats on a cushion of air and is capable of traversing water;

“Integrated Coastal Management Act” means the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008);

“Integrated Management Plan” means the plan for the iSimangaliso Wetland Park world heritage site, including the Integrated Management Plan Zonation prepared and approved in terms of section 42 of the World Heritage Convention Act;

“iSimangaliso” means that part of the proclaimed iSimangaliso Wetland Park world heritage site, which also falls within the iSimangaliso Marine Protected Area declared in terms of section 22A of the Act;

“IICZ” means the iSimangaliso Inshore Controlled Zone;

“IICPZ” means the iSimangaliso Inshore Controlled Pelagic Zone;

“IISZ” means the iSimangaliso Inshore Sanctuary Zone;

“IIWZ” means the iSimangaliso Inshore Wilderness Zone;

“IOCZ” means the iSimangaliso Offshore Controlled Zone;

“IOCPZ” means the iSimangaliso Offshore Controlled Pelagic Zone;

“IORZ” means the iSimangaliso Offshore Restricted Zone

“IOSZ” means the iSimangaliso Offshore Sanctuary Zone;

“IOWZ” means the iSimangaliso Offshore Wilderness Zone;

“iSimangaliso Fish List” means a list of fish species which may be fished for in the Controlled and Controlled Pelagic Zones of the Marine Protected Area as detailed in Annexure 2 hereto;

“management authority” means the body designated in regulation 12;

“Marine Living Resources Act” means the Marine Living Resources Act, 1998 (Act No. 18 of 1998);

“Marine Protected Area” means the iSimangaliso Marine Protected Area as declared by the Minister in terms of section 22A of the Act;

“National Small Vessel Safety Regulations” means the Merchant Shipping (National Small Vessel Safety) Regulations, 2007, published in terms of section 356 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951) and promulgated in Government Notice No. R. 705 of 8 August 2007;

“operate” in respect of a vessel, includes mooring in the water, drifting in the water and ascending or descending from its mooring, the shore, launch site, a buoy or a jetty;

“personal watercraft” means a vessel that uses a motor powering a water jet pump as its primary source of propulsion, and is designed to be operated by a person or persons sitting, standing or kneeling on rather than within the confines of a hull;

“Protected Area Notice” has the meaning assigned to it in the Regulations for the Proper Administration of Special Nature Reserves, National Parks and World Heritage Sites, (*Government Gazette* 28181 GNR 1061 of 28 October 2005) published under the Act;

“recreational fishing” means, any fishing done for leisure or sport and not for sale, barter, earnings or gain;

“Restricted Zone” means an area within the Marine Protected Area where no fishing may take place, but where any other activity in terms of section 48A(1) of the Act may take place if authorised in terms of these regulations as contemplated in terms of section 48A(2) of the Act, or if authorised in terms of regulation 4(7);

“Sanctuary Zone” means an area within the Marine Protected Area where no fishing may take place, and where limited recreational activities may take place as set out in the Integrated Management Plan, and where any other activity in terms of section 48A(1) of the Act may take place if authorised in terms of these regulations as contemplated in terms of section 48A(2) of the Act, or if authorised in terms of regulation 4(7);

“SCUBA Diving” means swimming below the surface of the water with the aid of compressed or pumped air or other gasses;

“small-scale fishing” has the meaning ascribed to it in the Small-Scale Fishing Policy published in *Government Gazette* 35455 GN 474 of 20 June 2012;

“vessel” means a waterborne craft of any kind whether a surface craft or submarine, and whether self-propelled or not, and includes any moored floating structure that can be used as a means of transport by water and includes a personal watercraft and hovercraft;

“Wilderness Zone” means an area within the Marine Protected Area where no fishing may take place, but where ecotourism activities that maintain wilderness characteristics and attributes may take place if authorised by these regulations as contemplated in terms of section 48A(2) of the Act, or if authorised in terms of regulation 4(7);

“World Heritage Convention Act” means the World Heritage Convention Act, 1999 (Act No. 49 of 1999); and

“WGS 84” means the World Geodetic System of 1984 (G730), which is a geographic co-ordinate system.

2. Zonation within the Marine Protected Area

The iSimangaliso Marine Protected Area consists of an inshore and offshore area. The inshore area consists of three (3) Inshore Controlled Zones, eight (8) Inshore Controlled Pelagic Zones, five (5) Inshore Sanctuary Zones and one (1) Inshore Wilderness Zone. The offshore area consists of three (3) Offshore Controlled Zones, six (6) Offshore Controlled Pelagic Zones, two (2) Offshore Sanctuary Zones, one (1) Offshore Wilderness Zone and one (1) Offshore Restricted Zone.

The zones were determined by using WGS 84 as detailed in Annexure 1 and outlined hereunder:

- (a) One (1) Inshore Sanctuary Zone indicated as IISZ1 (part of iSimangaliso);
- (b) One (1) Inshore Controlled Pelagic Zone indicated as IICPZ1 (part of iSimangaliso);
- (c) One (1) Inshore Sanctuary Zone 2 indicated as IISZ2 (part of iSimangaliso);
- (d) One (1) Inshore Controlled Pelagic Zone indicated as IICPZ2 (part of iSimangaliso);
- (e) One (1) Inshore Sanctuary Zone indicated as IISZ3 (part of iSimangaliso);
- (f) One (1) Inshore Controlled Pelagic Zone indicated as IICPZ3 (part of iSimangaliso);
- (g) One (1) Inshore Controlled Zone indicated as IICZ1 (part of iSimangaliso);
- (h) One (1) Inshore Controlled Pelagic Zone indicated as IICPZ4 (part of iSimangaliso);

- (i) One (1) Inshore Wilderness Zone indicated as IIWZ1 (part of iSimangaliso);
- (j) One (1) Inshore Controlled Pelagic Zone indicated as IICPZ5 (part of iSimangaliso);
- (k) One (1) Inshore Controlled Zone indicated as IICZ2 (part of iSimangaliso);
- (l) One (1) Inshore Controlled Pelagic Zone indicated as IICPZ6 (part of iSimangaliso);
- (m) One (1) Inshore Sanctuary Zone indicated as IISZ4 (part of iSimangaliso);
- (n) One (1) Inshore Controlled Pelagic Zone indicated as IICPZ7 (part of iSimangaliso);
- (o) One (1) Inshore Controlled Zone indicated as IICZ3 (part of iSimangaliso);
- (p) One (1) Inshore Controlled Pelagic Zone indicated as IICPZ8 (part of iSimangaliso);
- (q) One (1) Inshore Sanctuary Zone indicated as IISZ5 (part of iSimangaliso);
- (r) One (1) Offshore Sanctuary Zone indicated as IOSZ1 (part of iSimangaliso);
- (s) One (1) Offshore Controlled Pelagic Zone indicated as IOCPZ1 (part of iSimangaliso);
- (t) One (1) Offshore Sanctuary Zone indicated as IOSZ2 (part of iSimangaliso);
- (u) One (1) Offshore Controlled Pelagic Zone indicated as IOCPZ2 (part of iSimangaliso);
- (v) One (1) Offshore Controlled Zone indicated as IOCZ1 (part of iSimangaliso);
- (w) One (1) Offshore Controlled Pelagic Zone indicated as IOCPZ3 (part of iSimangaliso);
- (x) One (1) Offshore Wilderness Zone indicated as IOWZ1 (part of iSimangaliso);
- (y) One (1) Offshore Controlled Pelagic Zone indicated as IOCPZ4 (part of iSimangaliso);
- (z) One (1) Offshore Controlled Zone indicated as IOCZ2 (part of iSimangaliso);

- (aa) One (1) Offshore Controlled Pelagic Zone indicated as IOCPZ5 (part of iSimangaliso);
- (bb) One (1) Offshore Controlled Zone indicated as IOCZ3 (part of iSimangaliso);
- (cc) One (1) Offshore Controlled Pelagic Zone indicated as IOCPZ6 (part of iSimangaliso); and
- (dd) One (1) Offshore Restricted Zone indicated as IORZ1.

3. Scientific research permit

- (1) No person may undertake any scientific research within the Marine Protected Area, except on the authority of a scientific research permit issued by-
 - (a) the Minister, for research to be undertaken within the Marine Protected Area; and
 - (b) the management authority where such research will also be undertaken in iSimangaliso.
- (2) Application for a scientific research permit in terms of sub-regulation (1)(a) must be made to the Minister in accordance with the provisions of section 83 of the Marine Living Resources Act or any regulations published under the Integrated Coastal Management Act.
- (3) Application for a scientific research permit in terms of sub-regulation (1)(b) must be made to the management authority in accordance with the provisions of regulation 34 of the Regulations for the Proper Administration of Special Nature Reserves, National Parks and World Heritage Sites, (*Government Gazette* 28181 GNR 1061 of 28 October 2005) published under the Act.

4. General restrictions within the Marine Protected Area

- (1) The owner, skipper or operator of a vessel shall not enter or operate a vessel in the Marine Protected Area without a valid certificate of competence and a certificate of fitness issued in respect of such vessel, and such original certificates must be available for inspection at all times.
- (2) A vessel shall not enter the Marine Protected Area unless the marking approved for that vessel in accordance with the provisions of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), or equivalent international marking requirements, is

displayed on the vessel at all times while the vessel is inside the Marine Protected Area.

- (3) The owner, skipper or operator of a vessel shall not enter or operate a vessel in the Marine Protected Area unless such vessel and any other equipment or contents of such vessel, comply with the safety and other requirements specified in the Merchant Shipping Act, 1951 (Act No. 57 of 1951), for such vessel.
- (4) No person shall except on the authority of a scientific research permit engage in killing, fishing, collecting, capturing, disturbing, controlling or harassing, or attempting to, kill, fish, collect, capture, disturb, control or harass a whale shark (*Rhincodon typus*), within the Marine Protected Area.
- (5) Disturbing or harassing as contemplated in sub-regulation (4) shall include any person, vessel or aircraft, approaching a whale shark closer than 20 meters.
- (6) If a whale shark approaches any person or vessel closer than 20 meters such person or vessel shall immediately proceed to a distance at least 20 meters from such whale shark.
- (7) The management authority may in the management plan for the Marine Protected Area, in the Integrated Management Plan, an internal rule or Protected Area Notice, identify activities, except for those activities listed in section 48A(1) of the Act; which may be restricted, controlled, limited or prohibited and such areas must be indicated by demarcation buoys, demarcation markers or notice boards.
- (8) No person shall conduct or carry out any activity that is restricted, controlled, limited or prohibited in terms of sub-regulation (7).

5. Use of vessels

- (1) No person may moor or anchor any vessel in the Marine Protected Area except—
 - (a) under conditions of *force majeure*; or
 - (b) for the use of a vessel by an employee of the Department or any other organ of state acting in the course and scope of their employment or mandate.
- (2) Despite sub-regulation (1), the management authority may on application and on such conditions as it may deem appropriate,

authorise the anchoring or mooring of a vessel in the following circumstances-

- (a) in an emergency; or
 - (b) where the management authority may deem it to be necessary in order to ensure the proper management of the Marine Protected Area.
- (3) The management authority may verbally authorise a vessel to moor or anchor within the Marine Protected Area as contemplated in sub-regulation (2), which verbal authorisation must be confirmed in writing within 3 working days.
 - (4) Vessels may only be launched within the Marine Protected Area at launch sites designated by the management authority in the Integrated Management Plan of the Marine Protected Area. No vessel may be launched into a Sanctuary Zone of the Marine Protected Area.
 - (5) Any motorized vessel that enters or traverses a Sanctuary, Wilderness or Restricted Zone within the Marine Protected Area may not stop or move at less than 5 knots at any time while in the Marine Protected Area.
 - (6) A motorized vessel entering or traversing the Marine Protected Area with fishing gear on board must have a Global Positioning System (GPS) Mapping Device with an active trail operational on the vessel, prior to entering and while traversing the Marine Protected Area and such GPS data may not be deleted from this device for forty eight hours after passing through the Marine Protected Area.
 - (7) A vessel required by law to have a Vessel Monitoring System; must when entering or traversing the Marine Protected Area with fishing gear on board, ensure that the Vessel Monitoring System is active.
 - (8) Any vessel that enters iSimangaliso is hereby deemed to have permission from the management authority as contemplated in terms of section 46(1) of the Act.

6. Restriction of activities

No person may undertake any activity listed in section 48A(1) of the Act, in the Marine Protected Area, unless authorised in terms of these regulations.

7. Control of activities in the Inshore Sanctuary Zones

- (1) No person shall fish, or attempt to fish, in a IISZ, including collecting or harvesting of invertebrates or intertidal or shallow sub-tidal organisms.
- (2) No vessel with fish or fishing gear on board may traverse an IISZ.
- (3) Fishing gear in possession of any person that enters or is present in a IISZ, must be stowed in the following manner -
 - (a) in the case of line fishing from the shore, all hooks, lures, and weights are disconnected from the line, all the line is reeled onto the reel or rolled up, and that rolled up line, hooks, lures, bait and weights are placed away in a bag or container; or
 - (b) in the case of other intertidal harvesting all gear shall be placed away in a bag or container.

8. Control of activities in the Offshore Sanctuary Zone and Inshore or Offshore Wilderness zones

- (1) No person shall fish, or attempt to fish, in a IOSZ or any Wilderness Zone.
- (2) A vessel within or traversing a IOSZ or any Wilderness Zone may not carry any fish or part thereof on board such vessel.
- (3) Fishing gear onboard a vessel or in possession of any person that enters or is present in the IOSZ or any Wilderness Zone must be stowed in the following manner -
 - (a) in the case of line fishing-
 - (i) from a vessel, all hooks, lures, and weights are disconnected from the line, all the line is reeled onto the reel or rolled up, and that rolled up line, hooks, lures, bait and weights on the vessel are placed away in the cabin, wheel house or console of the vessel;
 - (ii) from the shore, all hooks, lures, and weights are disconnected from the line, all the line is reeled onto the reel or rolled up, and that rolled up line, hooks, lures, bait and weights are placed away in a bag or container;

- (b) in the case of purse-seine fishing the boom shall be lowered as far as possible so that the vessel cannot be used for fishing but so that the skiff is accessible for use in emergency situations;
- (c) in the case of a trawl fishing, all nets, trawl boards and weights shall be disconnected from their towing or hauling wires, ropes or rigid frames and either stowed below deck or securely lashed to some part of the superstructure of the fishing vessel;
- (d) in the case of rock lobster fishing all traps shall be on board and tied down; and all dinghies shall be on board and securely lashed to some part of the superstructure of the fishing vessel;
- (e) in the case of fishing with traps other than rock lobster traps, all traps shall be on board and tied down; and
- (f) in the case of longline fishing, all gear shall be covered and the cover secured.

9. Control of activities in the Offshore Restricted Zone

- (1) No person shall fish, or attempt to fish, in the iSimangaliso Offshore Restricted Zone.
- (2) Fishing gear onboard a vessel or in possession of any person that enters or is present in the iSimangaliso Offshore Restricted Zone must be stowed in the same manner as required in terms of regulation 8(3).

10. Control of activities in the Inshore and Offshore Controlled and Controlled Pelagic Zones

- (1) No person shall in any Controlled or Controlled Pelagic Zone, fish or attempt to fish, from a vessel or the shore unless:
 - (a) they are in possession of a valid small-scale fishing authorisation issued in terms of the Marine Living Resources Act and such authorisation authorises fishing within an iSimangaliso Controlled or Controlled Pelagic Zones; or
 - (b) they are in possession of a valid recreational fishing permit issued in terms of the Marine Living Resources Act.
- (2) Notwithstanding anything to the contrary, a person in possession of a recreational fishing permit as contemplated in sub-regulation

(1)(b), and fishing in the iSimangaliso Inshore or Offshore Controlled or Controlled Pelagic Zones, may only fish for the species specified in the iSimangaliso Fish List.

- (3) No person shall undertake recreational fishing in any Controlled or Controlled Pelagic Zone between sunset and sunrise of the following day except with the permission of the management authority.
- (4) Any person in possession of a small-scale fishing authorisation as contemplated in sub-regulation (1)(a), and fishing in the iSimangaliso Inshore Controlled or Controlled Pelagic Zone, may only engage in rock and surf angling and harvesting of intertidal organisms.
- (5) Fishing gear onboard a vessel or in possession of any person that enters or is present in any Controlled or Controlled Pelagic Zone and who is not authorised to fish in terms of sub-regulation (1), must be stowed in accordance with regulation 8(3).

11. SCUBA Diving

- (1) No person may operate or attempt to operate a SCUBA diving business or enterprise in any Wilderness, Restricted, Controlled or Controlled Pelagic Zone without a permit.
- (2) Application for a permit referred to in sub-regulation (1) must be made to the management authority and may be issued subject to conditions.
- (3) Any vessel that has deployed divers in the Marine Protected Area must display an alpha flag.
- (4) Subject to regulation 3, no person may SCUBA dive in any Sanctuary Zone within the Marine Protected Area.

12. Management authority

The iSimangaliso Wetland Park Authority established in terms of section 9 of the World Heritage Convention Act, is hereby formally designated as the management authority for the Marine Protected Area in terms of section 38(1)(aB) of the Act.

13. Suspension, amendment and cancellation of permits

- (1) Subject to sub-regulation (2) and (3), a permit issued under these regulations may at any time be suspended, cancelled or amended.
- (2) A permit issued in terms of these regulations may be suspended, cancelled or amended, if—
 - (a) the management authority or the Minister is satisfied on the basis of information that was not considered when the permit was issued, that it is necessary or desirable to suspend, cancel or amend the permit to prevent deterioration or further deterioration of the environment within the iSimangaliso Marine Protected Area;
 - (b) other similar permits held by other persons have also been reviewed and the suspension, cancellation or amendment does not unfairly discriminate against the holder in relation to other holders of similar permits;
 - (c) the permit holder is in breach of a condition contained in the permit;
 - (d) the permit holder provided incorrect or false information in the application for the permit;
 - (e) the holder of a permit has been convicted of an offence in terms of the Act, the National Environmental Management Act or a specific environmental management act or any regulations issued thereunder; or
 - (f) the reason for the issuing of the permit no longer exists.
- (3) A permit issued in terms of these regulations may be amended—
 - (a) if an error needs to be corrected or rectified;
 - (b) at the request of the applicant;

- (c) for the proper management and implementation of these regulations; or
- (d) where the conditions or circumstances have changed since the original permit was issued.

14. Marking of Marine Protected Area

The management authority may mark one or more of the boundaries, of the Marine Protected Area by beacons, lights, buoys, or any other method. The management authority shall mark any boundaries of the Marine Protected Area in accordance with any relevant laws and requirements.

15. Offences and penalties

In addition to any offence in terms of section 89 of the Act, any person who contravenes or fails to comply with—

- (a) regulations 3(1), 4(1) to 4(6), 4(8), 5(1), 5(4) to 5(7), 6, 7, 8, 9, 10, 11(1), 11(3), or 11(4);
- (b) a condition mentioned in a permit issued in terms of these regulations; or
- (c) a prohibition, instruction, rule or order imposed, given or issued under these regulations;

is guilty of an offence and liable in the case of a first conviction to a fine not exceeding R5 million or to imprisonment for a period not exceeding five years and, in the case of a second or subsequent conviction, to a fine not exceeding R10 million or imprisonment for a period not exceeding 10 years or in both instances to both a fine and such imprisonment.

16. Withdrawal and repeal

- (1) The declaration of the St Lucia and Maputaland marine protected areas as contained in stipulation 2(11) and 2(12) of the declaration notice named Declaration of Areas as Marine Protected Areas in *Government Gazette* 219487, Notice No. 1429 of 29 December 2000 is hereby withdrawn and repealed.

- (2) The provisions of stipulation 3(1)(g) insofar as it relates to the St Lucia and Maputaland marine protected areas and stipulations 3(2), 3(3), 3(4) and 3(5), as contemplated in the notice named Declaration of Areas as Marine Protected Areas in Government Gazette 219487, Notice No. 1429 of 29 December 2000 is hereby repealed.

17. Short title and commencement

These regulations are called the iSimangaliso Marine Protected Area Regulations and commence upon date of publication in the *Gazette*.

Annexure 1

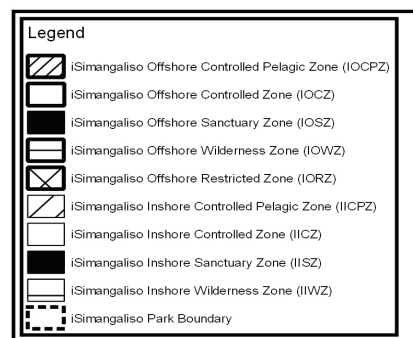
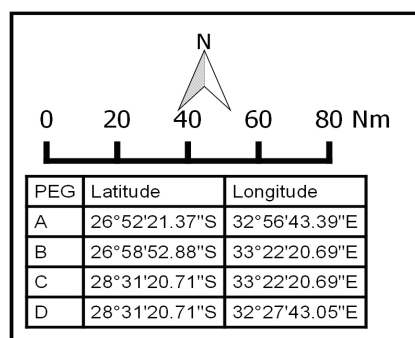
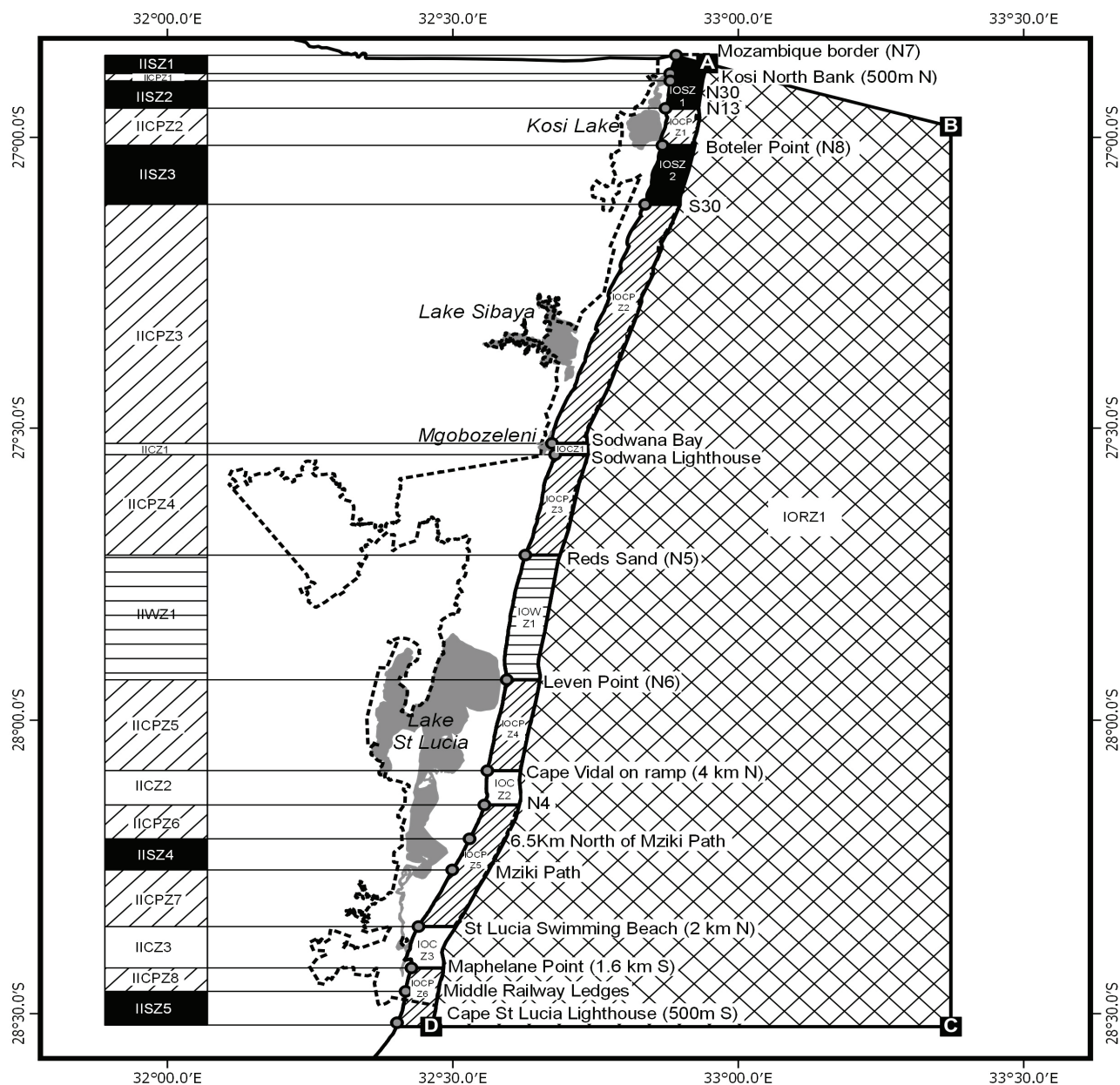


Fig. 1. The proposed zonation of the iSimangaliso Marine Protected Area (MPA)

Zonation of the iSimangaliso Marine Protected Area

The Marine Protected Area zonation is aligned with the zones determined in the iSimangaliso Integrated Management Plan, with the exception of a slight extension southward of St Lucia, the change in name from 'Restricted' to 'Controlled Pelagic' zone and the addition of a large offshore 'Restricted' zone beyond three nautical miles.

Southern Extension

The extension from the south-western boundary involves a continuation of the existing Integrated Management Plan zonation from the high water mark inshore and three nautical miles offshore to a line (090° true bearing) drawn from a point approximately 500 meters south of the Cape St Lucia Lighthouse to point D. The Inshore Sanctuary zone (IISZ5) and the offshore Controlled Pelagic zone (IOCPZ6) is extended south from the southern Park boundary to the new southern boundary of the Marine Protected Area, south of the Cape St Lucia Lighthouse.

Offshore Extension

The offshore extension, which is zoned as 'Restricted', (IORZ1) is bounded inshore by the line drawn from point A in the north, in a generally south-south-west direction maintaining a distance of three nautical miles seaward of the low water mark to point D in the south. The offshore boundary is a line drawn from point C in the south, directly to point B in the north. The northern boundary is a line approximately east-south east bearing joining points A and B, the southern boundary is a line at 090° joining points D and C.

- A 26° 52' 21.37"S; 32° 56' 43.39"E
- B 26° 58' 52.88"S; 33° 22' 20.69"E
- C 28° 31' 20.71"S; 33° 22' 20.69"E
- D 28° 31' 20.71"S; 32° 27' 43.05"E

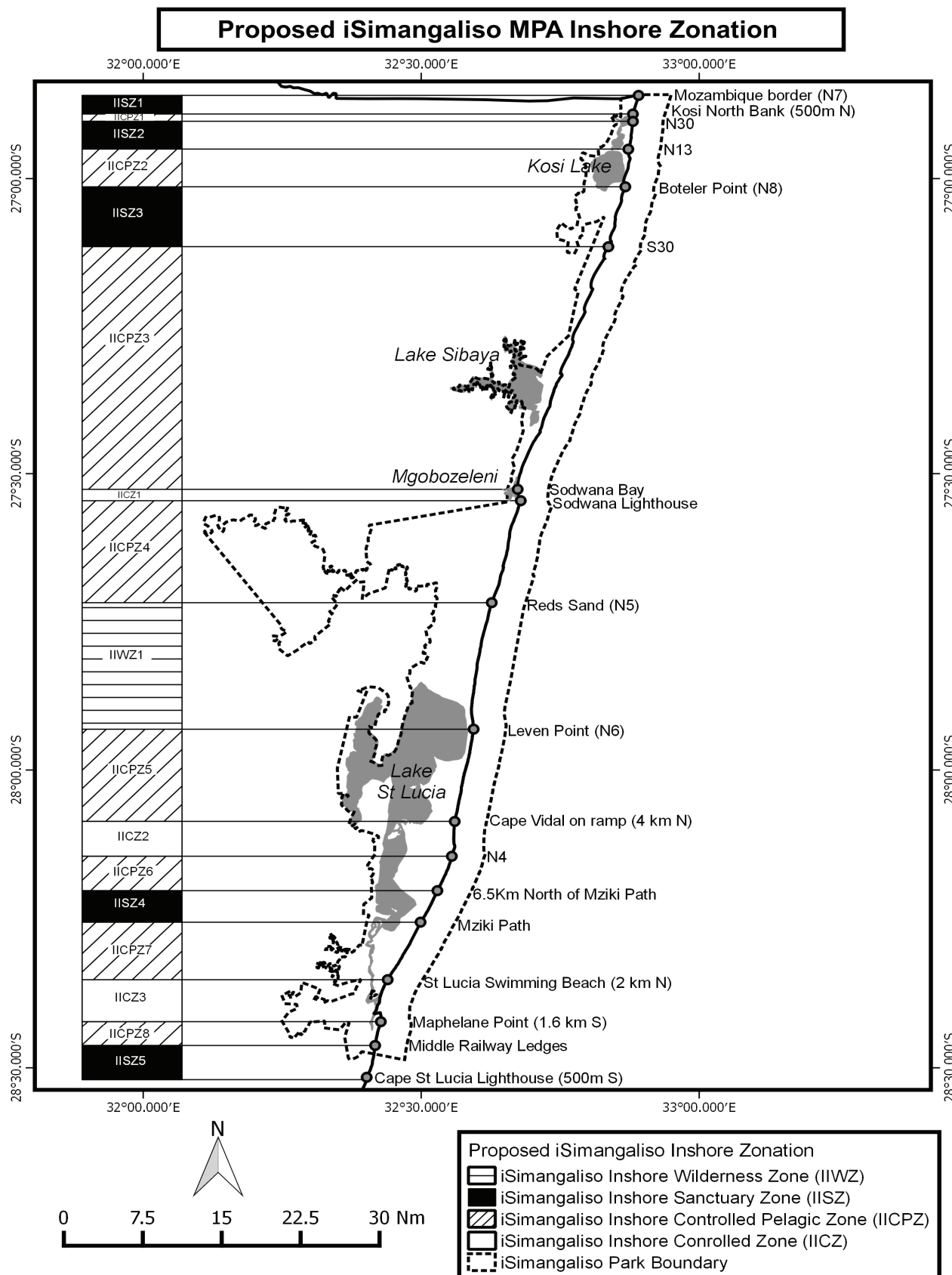


Fig. 2. The proposed inshore zonation of the iSimangaliso Marine Protected Area

1 Inshore iSimangaliso Marine Protected Area Zonation

The inshore zones described below lie between the high water mark and low water mark, with the exception of the Controlled Pelagic area (IICPZ1) described in paragraph 1(b) which extends 100 m seawards of the high water mark.

a) iSimangaliso Inshore Sanctuary Zone 1 (IISZ1)

A Sanctuary Area is situated between; as the northern limit, a line drawn east-south east from beacon N7 (26°51'30.89"S; 32°53'27.16"E) at the South African-Mozambique border, and as a southern limit, a similar line drawn at a bearing 090° from a point 500m north of the Kosi North Bank (26°53'24.67"S, 32°52'50.66"E).

b) iSimangaliso Inshore Controlled Pelagic Zone 1 (IICPZ1)

A Controlled Pelagic Area bounded by the high water mark and a line 100 m seawards of the high water mark, is situated between; as the northern limit, a line (090° true bearing) drawn from a point 500m north of the Kosi North Bank (26°53'24.67"S, 32°52'50.66"E), and as a southern limit, a similar line drawn from the beacon marked N30 at coordinates 26°54'90.83"S; 32°52'50.84"E, which is approximately 2 Km south of the mouth of the Kosi Lake.

c) iSimangaliso Inshore Sanctuary Zone 2 (IISZ2)

A Sanctuary Area is situated between, as a northern limit, a line (090° true bearing) drawn from the beacon marked N30 at coordinates 26°54'90.83"S; 32°52'50.84"E; and as a southern limit, a similar line drawn from the beacon marked N13 at coordinates 26°56'59.93"S; 32°52'20.93"E.

d) iSimangaliso Inshore Controlled Pelagic Zone 2 (IICPZ2)

A Controlled Pelagic Area is situated between, as a northern limit, a line (090° true bearing) drawn from the beacon marked N13 at coordinates 26°56'59.93"S; 32°52'20.93"E, and as a southern limit, a similar line drawn from the beacon marked N8 (27°00'50.11"S; 32°52'00.59"E), situated next to Boteler Point.

e) iSimangaliso Inshore Sanctuary Zone 3 (IISZ3)

A Sanctuary Area is situated between; as the northern limit a line drawn (090° true bearing) from the beacon marked N8 at coordinates 27°00'50.11"S; 32°52'00.59"E, and as a southern limit, a similar line drawn from the beacon marked S30 at coordinates 27°06'56.12"S; 32°50'11.87"E, situated 1 Km south of Dog Point.

f) iSimangaliso Inshore Controlled Pelagic Zone 3 (IICPZ3)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from the beacon marked S30 at coordinates 27° 6'56.12"S; 32°50'11.87"E; and as a southern limit, a similar line drawn from a point with coordinates 27°31'34.97"S, 32°40'24.67"E, which is situated north of Sodwana Bay.

g) iSimangaliso Inshore Controlled Zone 1 (IICZ1)

A Controlled Area is situated between, as a northern limit, a line (090° true bearing) drawn from the point with coordinates 27°31'34.97"S, 32°40'24.67"E, which is situated north of Sodwana Bay, and as a southern limit, a similar line drawn from the Sodwana Lighthouse (27°32'44.23"S, 32°40'44.72"E).

h) iSimangaliso Inshore Controlled Pelagic Zone 4 (IICPZ4)

A Controlled Pelagic Area is situated between, as a northern limit, a line (090° true bearing) drawn from the Sodwana Lighthouse (27°32'44.23"S, 32°40'44.72"E) and; as a southern limit, a similar line drawn from the beacon at Red Sands marked N5 at coordinates 27°43'4.04"S; 32°37'36.59"E.

i) iSimangaliso Inshore Wilderness Zone 1 (IIWZ1)

A Wilderness Area is situated between; as a northern limit, a line (090° true bearing) drawn from the beacon at Red Sands marked N5 at coordinates 27°43'4.04"S; 32°37'36.59"E; and as a southern limit, similar line drawn from the beacon at Leven Point marked N6 (27°55'51.82"S; 32°35'39.52"E).

j) iSimangaliso Inshore Controlled Pelagic Zone 5 (IICPZ5)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from beacon N6 (27°55'51.82"S; 32°35'39.52"E), situated at Leven Point; and as a southern limit, a similar line drawn from a point 4 Km north of the Cape Vidal on ramp (28° 05'11.04"S, 32°33'36.97"E).

k) iSimangaliso Inshore Controlled Zone 2 (IICZ2)

A Controlled Area is situated between; as a northern limit, a line (090° true bearing) drawn from a point 4 Km north of the Cape Vidal on ramp (28° 05'11.04"S, 32°33'36.97"E); and as a southern limit, a similar line drawn from the beacon marked N4 situated, approximately 1 Km south of Cape Vidal at coordinates 28° 8'41.61"S, 32°33'18.34"E.

l) iSimangaliso Inshore Controlled Pelagic Zone 6 (IICPZ6)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from the beacon marked N4 situated, approximately 1 Km south of Cape Vidal (28° 08'41.61"S, 32°33'18.34"E); and as a southern limit, a similar line drawn from a point with coordinates 28°12'10.28"S, 32°31'42.02"E situated 6.5 Km north of Mziki Path.

m) iSimangaliso Inshore Sanctuary Zone 4 (IISZ4)

A Sanctuary Area is situated between; as a northern limit, a line (090° true bearing) drawn from a point with coordinates 28°12'10.28"S, 32°31'42.02"E situated 6.5 Km north of Mziki Path; and as southern limit, a similar line drawn from the Mziki Path (28°15'20.10"S; 32°29'55.74"E).

n) iSimangaliso Inshore Controlled Pelagic Zone 7 (IICPZ7)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from the Mziki Path (28°15'20.10"S; 32°29'55.74"E); and as southern limit, a similar line drawn from a point with coordinates 28°21'70.63"S, 32°26'23.03"E situated 2 Km north of the St Lucia swimming beach .

o) iSimangaliso Inshore Controlled Zone 3 (IICZ3)

A Controlled Area is situated between; as a northern limit, a line (090° true bearing) drawn from a point 2 Km north of the St Lucia swimming beach (28°21'70.63"S, 32°26'23.03"E); and as a southern limit, a similar line drawn from a point with coordinates 28°25'21.33"S; 32°25'38.52"E located 1.6 Km south of Maphelane Point.

p) iSimangaliso Inshore Controlled Pelagic Zone 8 (IICPZ8)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from a point 1.6 Km south of Maphelane Point (28°25'21.33"S; 32°25'38.52"E); and as a southern limit, a similar line drawn from a point at Middle Railway Ledges (28°27'44.71"S; 32°25'1.78"E).

q) iSimangaliso Inshore Sanctuary Zone 5 (IISZ5)

A Sanctuary Area is situated between; as a northern limit, a line (090° true bearing) drawn from a point at Middle Railway Ledges (28°27'44.71"S; 32°25'1.78"E); and as a southern limit, a similar line drawn from a point approximately 500 m south of the Cape St Lucia Lighthouse (28°31'10.27"S, 32°24'10.53"E).

Proposed iSimangaliso MPA (North)

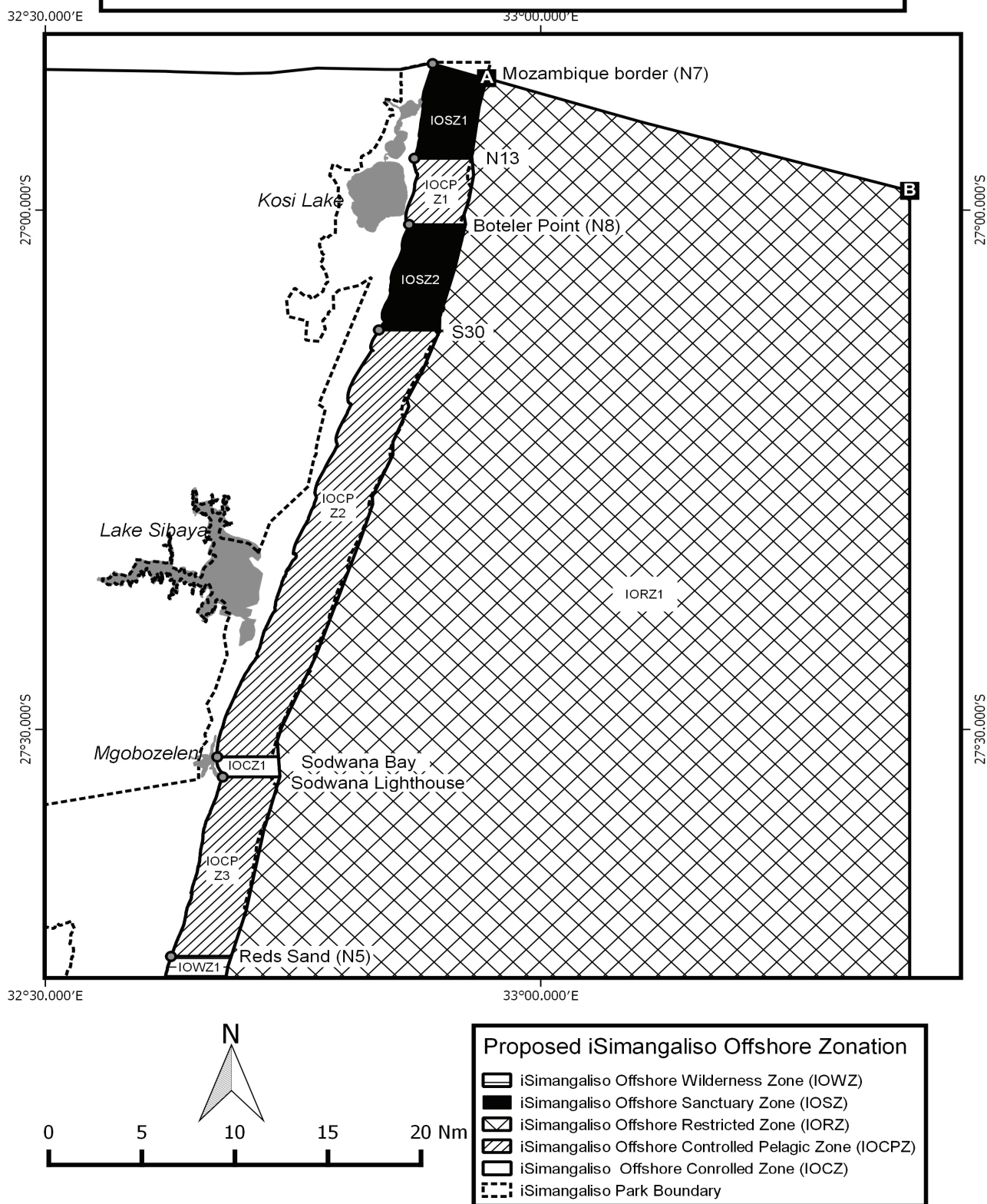


Fig. 3. The proposed offshore zonation of the iSimangaliso Marine Protected Area (North)

2 Offshore iSimangaliso Marine Protected Area Zonation

The offshore zones described below are bounded by the low water mark and a line drawn parallel and extending seawards to a distance of three nautical miles, except for the Restricted zone (IORZ1), described in paragraph 2(m), which extends beyond the three nautical mile to between 34 and 58 nautical miles.

a) iSimangaliso Offshore Sanctuary Zone 1 (IOSZ1)

A Sanctuary Area is situated between; as a northern limit, a line drawn approximately east-south east from beacon N7 (26°51'30.89"S; 32°53'27.16"E), situated at the South Africa-Mozambique border; and as a southern limit, a line drawn with 090° bearing from the beacon marked N13 at coordinates 26°56'59.93"S; 32°52'20.93"E.

b) iSimangaliso Offshore Controlled Pelagic Zone 1 (IOCPZ1)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from the beacon marked N13 at coordinates 26°56'59.93"S; 32°52'20.93"E; and as a southern limit, a similar line drawn from the beacon marked N8 (27° 00'50.11"S; 32°52'00.59"E), situated next to Boteler Point.

c) iSimangaliso Offshore Sanctuary Zone 2 (IOSZ2)

A Sanctuary Area is situated between; as a northern limit, a line (090° true bearing) drawn from the beacon marked N8 at coordinates (27° 00'50.11"S; 32°52'00.59"E) situated next to Boteler Point; and as a southern limit, a similar line drawn from the beacon marked S30 (27° 06'56.12"S; 32°50'11.87"E) which is situated 1 Km south of Dog Point.

d) iSimangaliso Offshore Controlled Pelagic Zone 2 (IOCPZ2)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from the beacon marked S30 (27°06'56.12"S; 32°50'11.87"E), situated 1 Km south of Dog Point; and as a southern limit, a similar line drawn from a point with coordinates 27°31'34.97"S, 32°40'24.67"E located north of Sodwana Bay.

e) iSimangaliso Offshore Controlled Zone 1 (IOCZ1)

A Controlled Area is situated between; as a northern limit, a line (090° true bearing) drawn from the point with coordinates 27°31'34.97"S, 32°40'24.67"E located north of Sodwana Bay; and as a southern limit, a similar line drawn from the Sodwana Lighthouse (27°32'44.23"S, 32°40'44.72"E).

f) iSimangaliso Offshore Controlled Pelagic Zone 3 (IOCPZ3)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from the Sodwana Lighthouse (27°32'44.23"S, 32°40'44.72"E); and as a southern limit, a similar line drawn from the beacon at Red Sands marked N5 (27°43'4.04"S; 32°37'36.59"E).

g) iSimangaliso Offshore Wilderness Zone 1 (IOWZ1)

A Wilderness Area is situated between; as a northern limit, a line (090° true bearing) drawn from the beacon at Red Sands marked N5 (27°43'40.04"S; 32°37'36.59"E); and as a southern limit, a similar line drawn from the beacon at Leven Point marked N6 (27°55'51.82"S; 32°35'39.52"E).

Proposed iSimangaliso MPA (South)

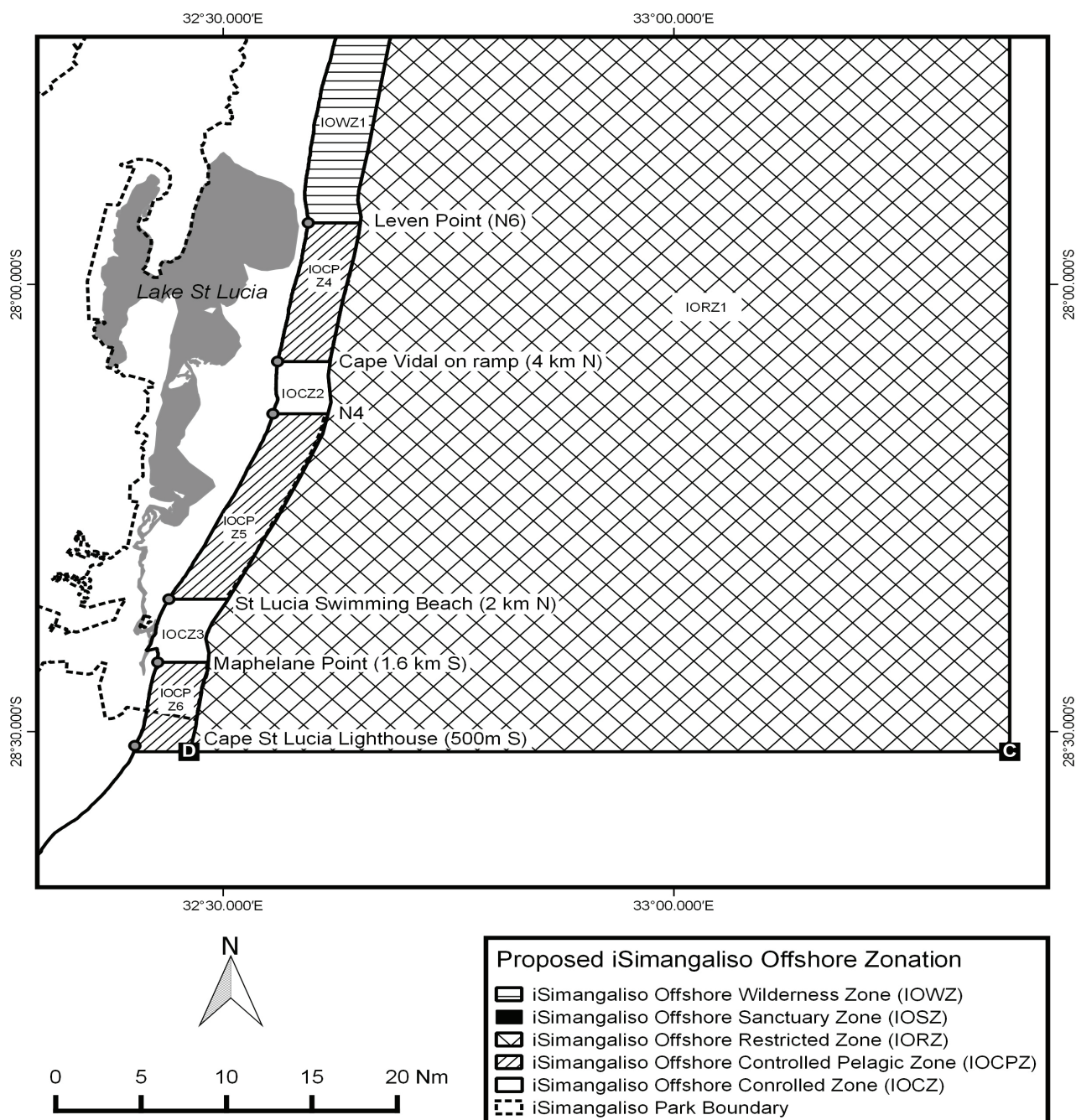


Fig. 4. The proposed offshore zonation of the iSimangaliso Marine Protected Area (South)

h) iSimangaliso Offshore Controlled Pelagic Zone 4 (IOCPZ4)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from the N6 beacon (27°55'51.82"S; 32°35'39.52"E), situated at Leven Point; and as a southern limit, a similar line drawn from a point 4 Km north of the Cape Vidal on ramp (28° 05'11.04"S, 32°33'36.97"E).

i) iSimangaliso Offshore Controlled Zone 2 (IOCZ2)

A Controlled Area is situated between; as a northern limit, a line (090° true bearing) drawn from a point 4 Km north of the Cape Vidal on ramp; and as a southern limit a similar line drawn from the beacon marked N4 at coordinates 28° 08'41.61"S, 32°33'18.34"E, situated approximately 1 Km south of Cape Vidal.

j) iSimangaliso Offshore Controlled Pelagic Zone 5 (IOCPZ5)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from the beacon marked N4 (28° 08'41.61"S, 32°33'18.34"E) which is approximately 1 Km south of Cape Vidal; and as a southern limit, a similar line drawn from a point 2 Km north of the St Lucia swimming beach (28°21'70.63"S, 32°26'23.03"E).

k) iSimangaliso Offshore Controlled Zone 3 (IOCZ3)

A Controlled Area is situated between; as a northern limit, a line (090° true bearing) drawn from a point 2 Km north of the St Lucia swimming beach; and as a southern limit, a similar line drawn from a point with coordinates 28°25'21.33"S; 32°25'38.52"E, situated 1.6 Km south of Maphelane Point .

l) iSimangaliso Offshore Controlled Pelagic Zone 6 (IOCPZ6)

A Controlled Pelagic Area is situated between; as a northern limit, a line (090° true bearing) drawn from a point with coordinates 28°25'21.33"S; 32°25'38.52"E, situated 1.6 Km south of Maphelane Point; and as a southern limit, a similar line drawn from a point (28°31'10.27"S, 32°24'10.53"E), approximately 500 m south of the Cape St Lucia Lighthouse.

m) iSimangaliso Offshore Restricted Zone 1 (IORZ1)

A Restricted Area is bounded inshore at a distance of three nautical miles from the low water mark by a line drawn from point A, in a generally south-south-west direction to point D; and offshore by a line drawn from point C in the south, directly to point B in the north. The northern boundary is a line joining points A and B, while the southern boundary is a similar line joining points D and C.

Annexure 2

iSimangaliso Fish List

Pelagic fish species list for the Controlled and Controlled-Pelagic Zones

This is a list of game and bait fish species that MAY be caught in the Controlled and Controlled Pelagic zones of the Marine Protected Area. Family names are given as all species in these families may be caught.

Pelagic gamefish species:

Scombridae – Tunas, mackerels, wahoo

Carangidae – kingfish, garrick, yellowtail, queenfish

Pomatomidae – Shad/elf

Coryphaenidae – Dorado/dolphin fish

Rachycentridae – Prodigal son/Cobia

Istiophoridae – Sailfish and marlin

Sphyrnidae – Barracudas

Pelagic baitfish species (includes *carangids* and *scombrids* as indicated above):

Atherinidae – silversides

Belontiidae – garfish

Chirocentridae – wolf herring/slimy

Clupeidae – red-eyes, sardines

Engraulidae – anchovies, glass-noses/bonies

Exocoetidae – flyingfishes

Hemiramphidae – halfbeaks

Scomberesocidae – sauries