

No person may operate or control a boat on the river, unless-

- (a) The skipper is in possession of a valid certificate of competence; and
- (b) The boat has issued in its favour a valid certificate of fitness.

Jet skis will only be permitted in the transition corridor between the Western (Downstream) Port Owen entrance and the sea and may travel at the minimum planning speed in a straight line only. No jet skis or water propelled craft may operate above the Westerly Port Owen entrance unless being used by a law enforcement body, the NSRI, or in an emergency.

No person may operate or control a boat on the river -

- (a) Between the hours of one hour after sunset and one hour before sunrise upstream of Die Slot; notwithstanding this rule, navigation lights shall at all times be on and visible, in low light, misty or dark conditions.
- (b) In such a manner that it causes damage to the environment.
- (c) In such a manner that it endangers or is used in an inconsiderate manner that creates a nuisance to any other boat or the occupants thereof or other persons or property or installations in the water or at the water's edge including any boats or vessels moored to any jetty;
- (d) Closer than 100 meters in the wake of another boat towing a person, water-skier or a towable aquatic device;
- (e) While under the influence of intoxicating liquor or narcotic drugs;
- (f) In a manner an authorised officer regards:
 - (i) as dangerous to the public or to the occupants of such boat or in a manner calculated to endanger or damage any property or facility, regard being had to all the circumstances of the case;
 - (ii) as reckless or negligent; or

Rules regarding the management or use of boats on the river:

- (iii) as constituting the using of a boat without consideration to other persons.
- (g) In such a manner that excessively large waves are generated;
- (h) While it is leaking oil, petrol, pollutant or any toxic or noxious substance;
- (i) If the load or number of persons on board exceeds the carrying capacity as stated on the boat or vessel's certificate of fitness. In the absence of such certificate then no more persons that one per whole meter length of boat;
- (j) If the boat is licensed by the municipality as required in terms of this by-law and the license token issued in respect thereof is not permanently displayed in a manner determined by the municipality; or
- (k) In contravention of any provisions of a management zone on the river as determined by the municipality.

Duties of a skipper:

A skipper of any boat-

- (a) Must ensure that the boat is operated and controlled in compliance with -
 - (i) the provisions concerning the safe operation of vessels on inland waters in the Regulations and the provisions of the Merchant Shipping (Collision and Distress Signals) Regulations, 2005; and the Merchant- Shipping (National Small Vessels Safety) Regulations, 2007; and
 - (ii) the usage requirements applicable to the zone in which the boat is being operated.



Berg River Estuary By-law:

Bergrivier Municipality has, in a Council Meeting held on 26 March 2019, approved the By-Law relating to the management and use of the Berg River Estuary, which is situated in Velddrif.

The Estuary By-Law was published on 05 July 2019 in the Provincial Gazette Extraordinary No. 8124.

Important sections within this By-Law include the following:

- Rules regarding the management or use of boats on the river;
- Duties of a skipper;
- Preventing pollution on the river; and
- Prohibited behaviours (*Refer to the By-Law*).

Rules regarding the management or use of boats on the river:

No person shall operate or control a power boat on the river, unless -

- (a) Such a boat has been licensed by the municipality;
- (b) An exemption has been issued for such boat to operate on the river;
- (c) The boat is skippered in terms of the Regulations; or
- (d) When a power boat is being operated or controlled by a person under the age of sixteen, then there must be a skipper onboard in possession of a valid certificate of competence supervising the person operating or controlling the boat.

ZONES OF THE BERG RIVER ESTUARY: SEE MAP BELOW



Zone A (Old Mouth Lagoon): Is a prohibited entry area;

Zone B (Fishing Harbour): Is a zone where fishing and bait collection is permitted; water skiing is not permitted; scuba diving is only allowed with permission from the harbour master;

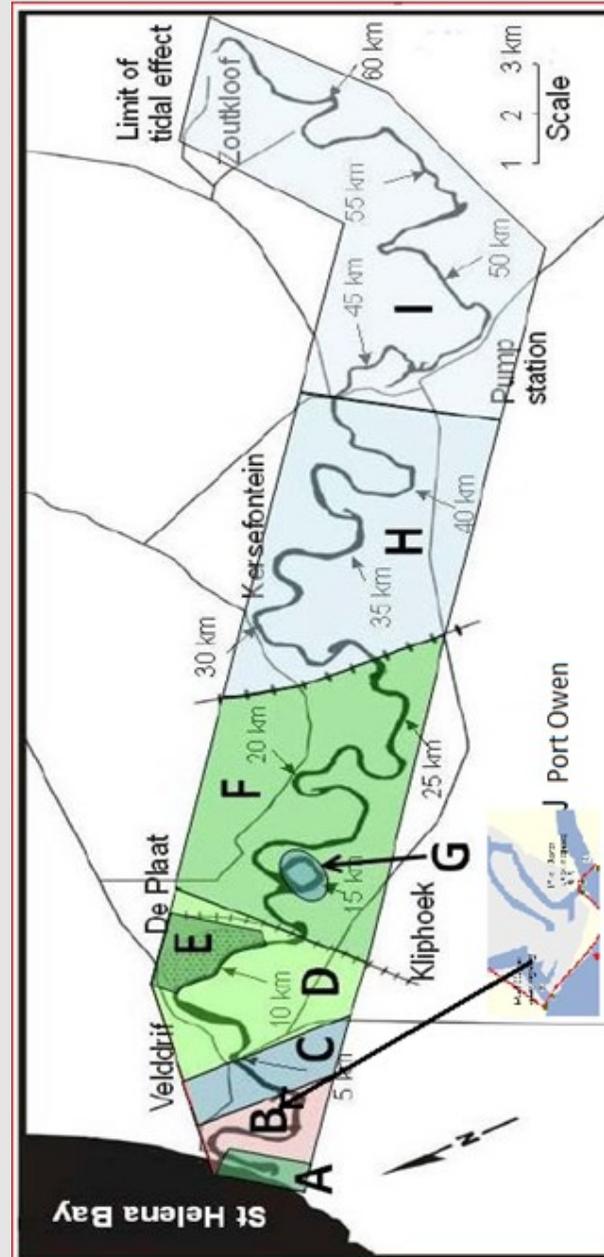
Zone C (Carinus Multipurpose Recreation Area): Is an area where all forms of water sport, fishing and bait collection are permitted; scuba diving is only allowed with permission from the harbour master;

Zone D (Conservation Area that includes Bokkomlaan): Is a zone where only sailing, canoeing, board sailing, swimming and fishing is permitted. Specifically prohibited in this area are kite boarding and water skiing as well as access to salt marshes and intertidal mudflats. Scuba diving is only allowed with permission from the harbour master;

Zone E (De Plaat Conservation Area): Is a prohibited entry area;

Notice:

Full details of the By-Law relating to the management and use of the Berg River Estuary is available on the municipal website (www.bergmun.org.za).



Here is a map of the Berg River Estuary with the various designated management zones.

Zone F (Kruispad Area): Is an area where all forms of water sport and fishing, except for scuba diving as defined, is permitted;

Zone G (Kliphoeek multipurpose recreation area): Is an area where all forms of water sport, fishing and bait collection, except for scuba diving, are permitted;

Zone H (Kersefontein/Langrietvlei recreation area): Fishing is only allowed with a permit from a registered licensed vessel and if from shore, with permission of the land owner;

Zone I: This Zone is no longer within the Bergvriervier Municipality boundary and is therefore excluded from this by-law;

Zone J (Port Owen Marina): Is subject to POMA rules and regulations; and

Tidal Zones: Access from all zones to the tidal zone that includes mud flats, salt marshes and sand banks is prohibited.

CONTACT US:

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