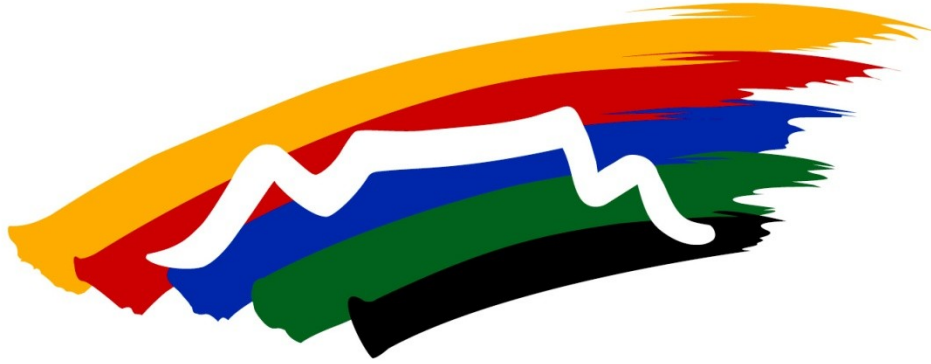


CITY OF CAPE TOWN



CITY OF CAPE TOWN

THIS CITY WORKS FOR YOU

BY-LAW RELATING TO THE USE AND CONTROL OF RECREATIONAL WATER AREAS AND
BOATING, 2010

City of Cape Town
By-law relating to the use and control of recreational water areas and boating, 2010

To regulate use and control of recreational water areas within the jurisdiction of the City of Cape Town; to control the use of vessels thereon; and to provide for matters incidental thereto.

PREAMBLE

WHEREAS section 156(2) and (5) of the Constitution provides that a municipality may make and administer by-laws for the effective administration of the matters which it has the right to administer, and to exercise any power concerning a matter reasonably necessary for, or incidental to, the effective performance of its functions;

WHEREAS Part B of Schedule 5 to the Constitution lists beaches and amusement facilities and local sports facilities as local government matters to the extent set out in section 155(6) (a) and (7);

AND WHEREAS the City wishes to manage and control the use of recreational water areas, the use of licencing of vessels thereon within its jurisdiction;

AND NOW THEREFORE, BE IT ENACTED by the Council of the City of Cape Town, as follows:-

Definitions

1. In this By-law, unless the context indicates otherwise –

“animal” means any multi-cellular organism of the kingdom Animalia, differing from plants in certain typical characteristics such as capacity for locomotion, non-photosynthetic metabolism, pronounced response to stimuli, restricted growth, and fixed bodily structure, including Mammals, Birds, Amphibians, Reptiles, Fish, Insects and Invertebrates;

“aquatic growth” means any vegetation which grows or can grow in a recreational water area;

“authorised officer” means any employee of the Council designated and authorised by the Council to enforce the provisions of this by-law **and includes a peace officer**;

“authorised official” means any employee of the Council designated and authorised by the Council to enforce the provision of this by-law and includes a peace officer

“bird” means any organism of the class Aves (Any of various warm-blooded, egg-laying, feathered vertebrates of the class Aves, having forelimbs modified to form wings);

“boat” means an object driven or propelled on the surface of a recreational water area by means other than mechanical or electrical;

“catch” in relation to fish, means to take ,whether alive or dead, injure, immobilise or kill or to attempt in any manner whatsoever to do so, or to pursue or wilfully disturb;

“City” means the City of Cape Town established by Provincial Notice No. 479 of 2000 in terms of section 12 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998);

“Council” means the Council of the City, and includes any employee of the Council exercising powers or performing duties or functions delegated to him by the Council;

“Director” means the Director of the City responsible for environmental resource management matters in the City;

“flora” means any flower, plant, shrub or tree of part thereof, whether indigenous to a recreational water area or the surrounding area or not, but does not include any vegetation which is a noxious weed in terms of any law;

“hunt” in relation to an animal, means to search for, pursue, kill, trap, snare, capture or attempt to do so in any way, or to follow or drive with intent to kill or capture, or to shoot at, poison, lie in wait for or wilfully to disturb;

“insect” means any organism of the class Insecta of small arthropod animals characterized, in the adult state, by division of the body into head, thorax, and abdomen, three pairs of legs on the thorax and usually, two pairs of membranous wings, including beetles, bees, flies, wasps, and mosquitoes;

“launch” means to place any boat or power boat on to a recreational water area;

“licence” means a licence issued in terms of this By-law;

“model boat or model power boat” means a miniature boat or power boat not capable of or intended for the conveying of persons, or anything not normally forming part of its structure or not connected with its propulsion or means of control;

“nature reserve” means any protected area proclaimed or notified in any government gazette;

“notice” includes a direction or prohibition prominently displayed in writing combined with the use of pictograms on a notice board erected at or near a recreational water area for the information of the public, and **“notify”** shall have a corresponding meaning;

“nuisance” means any act, omission or condition which is offensive, injurious or dangerous to health, or which materially interferes with the ordinary comfort, safety, convenience, peace or quiet of any user of a recreational water area or amenity connected therewith;

“permission” means the written permission issued by the Director in terms of this By-law;

“power boat” means any object driven or propelled wholly or partly by mechanical or electrical power or which utilises electrical power in any way;

“selling” includes hawking and bartering or offering, advertising, exposing or possessing for the purposes of sale, hawking or barter and **“sell”** has a corresponding meaning;

“special events” means any function or activity that is out of the ordinary and requires written permission in terms of the City of Cape Town: Events By-Law, 2009 or any other applicable law;

“vessel” means a power boat or a boat and includes sail boats, windsurf boards and any manner of canoe or paddle boat; and

“recreational water area” means any water area, lake, river or water or portion thereof and includes the verges or banks of such lake, river or water which is used for the purposes of water sports, recreation and conservation.

Application

2. (1) This By-law applies to recreational water areas within the area of jurisdiction of the City.

(2) In the event of conflict between this By Law and any other by law of the City dealing with the use or control of recreational water areas, this By Law must prevail

Safety and nature conservation

3. (1) No person may, whilst within a recreational water area –

- (a) except in a specified or marked container placed by the City dump, deposit, leave, spill, drop or place any fruit, fruit peels, bottles, bottle tops, broken bottles or glass, food, food containers, cigarette butts, refuse, litter, rubbish or any matter or thing likely to affect the cleanliness of the said area or in any way to affect the safety, comfort or rights of the other users of such area;
- (b) light a fire except in specified areas;
- (c) use a motor vehicle except on specified roads and parking areas and only at a speed not exceeding the speed limit indicated by suitable road signs;

- (d) allow any person under the age of 13 under his or her care to play within 10 m of a slipway or launching ramp;
- (e) possess or consume any liquor, drugs, or intoxicating substances;
- (f) be under the influence of liquor, drugs, or intoxicating substances;
- (g) possess any traps, snares, firearms or dangerous weapons;
- (h) bring or allow any dog or any other animal under his or her control into a recreational water area;
- (i) use any vessel for the purpose of human habitation;
- (j) throw into or deposit or discharge on any recreational water area any bilge water contaminated with oil, fuel, petrol or sewage, or deposit or cause or allow to be deposited -
 - (i) in any recreational water area; or
 - (ii) in any place from where it is likely to percolate or flow into or in any other manner enter any recreational water area,

anything, whether solid, liquid or gaseous, which is or is likely to be injurious to any fish, fish food, animal or human being or which, if so deposited in large quantities or numbers, will be so injurious, or to affect the quality of the water or to assist the growth of aquatic weeds;

- (k) paint a vessel by any means whatsoever while it is on any recreational water area;
- (l) aquaplane or water ski or cause to allow any other person to aquaplane or water ski on any recreational water area, except where aquaplaning or waterskiing is authorised by this By-law;
- (m) bathe in any recreational water area where bathing is prohibited by notice;
- (n) destroy, disturb, or hunt any animal, insect or bird or interfere with, molest or disturb any bird's egg or nest found in or on any recreational water area;
- (o) in, upon or on the land abutting any recreational water area -
 - (i) sell, clean or dispose of any fish; or
 - (ii) without permission sell any article or goods;

- (p) wash any animal, or cause or permit an animal under his or her control to be in the water of any recreational water area;
- (q) throw any stone or missile;
- (r) in any way damage, destroy or deface any vegetation, property, rock or other natural or artificial feature;
- (s) remove or disturb any soil or water;
- (t) in any manner cause or permit to be caused, any nuisance, obstruction, disturbance or annoyance to other persons.

(2) No person may, without written permission of the Director -

- (a) place or cause or allow to be placed in any recreational water area, any obstruction or device which will or is likely to prevent or impair the free passage or the movement of any vessel upon the water of any recreational water area;
- (b) place in or in any manner introduce into or cause or allow to be placed in or introduced into any recreational water area any animal whether dead or alive or any aquatic growth, provided that this prohibition shall not apply to a live fish released immediately after it has been caught in such recreational water area;
- (c) remove a prawn or a shrimp from any recreational water area or have in his or her possession any prawn or shrimp removed from a recreational water area and in granting any such permission the City may impose conditions as it deems fit;
- (d) pick, uproot, damage or destroy any flora;
- (e) introduce onto or discharge on or over any recreational water area any fire-arm, air-gun, firework, catapult or sling;
- (f) over an amplified sound system, radio, or a record player play any music, musical instrument, or sing or address a public meeting;
- (g) erect any structure;
- (h) moor any vessel for any period longer than one day; or
- (i) operate any model boat or model power boat.

(3) No person may, whilst within a recreational water area, unless during an emergency -

- (a) use the water for swimming; or
- (b) carry out mechanical, electrical or other repairs to any vessel.

Licensing

4. (1) Any person intending to launch or use any power boat upon any recreational water area where such launching or use is permitted, must apply in writing to the Director for a licence for such vessel.

(2) An application referred to in subsection (1) must be accompanied by a fee as may be determined from time to time by the Council.

(3) Any person who applied for a licence for a vessel must, submit at a place, on a date and at a time determined by the Director such vessel for examination to be conducted by an authorised official.

(4) The Director may grant or refuse such application and may, when granting such application, impose conditions in respect of operations, repairs or alterations to such vessel as he or she deems necessary in the interests of safety or to ensure compliance with this By-law.

(5) If the application is refused, the Director shall forthwith notify the applicant in writing of the reasons for such refusal.

(6) The Director must refuse such application if he reasonably believes that such vessel may -

- (a) be a source of pollution;
- (b) cause a nuisance;
- (c) constitute a danger to persons using it or to others; or
- (d) discharge sewage into any recreational water area.

(7) The Director must, on granting an application, allocate a registration number to the vessel and issue to the owner, a licence and licence disc in a form as determined by him or her.

(8) A person who has been granted a licence of a vessel must display the licence disc referred to in subsection 7 on the windscreen of the vessel to which it relates, or if the vessel is not fitted with a windscreen, in such a manner that it is clearly visible from outside the vessel.

Transfer of licences

5. (1) Subject to subsection (3) any person may apply to the Director for his or her licence for a vessel to be transferred with the ownership of such vessel to any person.

(2) When the ownership of a vessel is transferred as contemplated in subsection (1), the person to whom the licence has been granted must deliver the licence and disc to the Director for endorsement.

(3) The person to whom a licence has been granted must, in writing, advise the Director of –

- (a) any change in his or her address during the operating period in which such licence was granted;
- (b) him or her stopping to launch, operate or use such vessel;
- (c) the name and address of the person to whom such vessel was transferred; and
- (d) the cause of him or her stopping to launch, operate or use such vessel;
- (e) time frame for advising the Director about the change of ownership.

Cancellation and suspension of licences

5. The Director may withdraw any license if -

- (a) he/she is satisfied that the vessel in respect of which such licence was granted is no longer safe or seaworthy or is a source of pollution or the cause of a nuisance or danger to others; or
- (b) If a person to whom a licence has been granted in terms of this By-law—
 - (i) has furnished or submitted false or incomplete information in the application for that licence, or has submitted any other information required in terms of this By-law which is not true or complete;
 - (ii) fails to comply with a condition of the licence;
 - (iii) contravenes a provision of this By-law; or
 - (v) is convicted of an offence in terms of this By-law,

the Director may by written notice, require such person to show cause in writing, why the licence should not be cancelled, suspended or altered within a period of 21 days from the date of such notice.

Service of notices

6. (1) Where a compliance notice is served on any person in terms of section 5(b), it is deemed to have been properly served on such person when it has been served—

- (a) personally to him or her or in the case of a juristic person to a person apparently employed at its registered office;
- (b) at his or her place of residence or business to a person apparently over the age of 16 years;
- (c) by registered or certified mail to such person's last known residential or business address as appears in the records of the City ,or in the case of a juristic person, to its registered office and an acknowledgment of posting is produced;

(2) The failure to make proper service on any person as required in terms of this By-law shall not invalidate any proceedings held in respect of contraventions of this By-law.

Validity of a licence

6. A license shall be valid for a year from the date of issue and a register of such licenses shall be maintained by the City.

Observance of rules in recreational water areas

7. (1) All vessels shall be confined to the zones and circuits designated and demarcated by means of buoys by the City.

(2) The operating of specific types of vessels may, at the discretion of the Director, be restricted to fixed times and zones so as to exclude other types of vessels.

(3) The City may restrict the number of vessels which may operate on any recreational water area at any one time.

(4) No vessel operating on any recreational water area may exceed 5,48 m (18 feet) in length.

(5) All vessels must be provided with paddles or a second means of propulsion which must be kept on board the vessel.

(6) All vessels must be provided with a sufficient number of life jackets for all persons on board the vessel and life jackets must be worn at all times by persons under the age of ten years, water skiers and wind surfers.

(7) All vessels must have adequate flotation so as to be maintained above the water.

(8) Every vessel must have, as a means of identification, a licence number displayed on its side as directed in section 4(8).

(9) The number of persons permitted on board any vessel must not exceed the seating or standing accommodation provided in such vessel.

(10) An authorised officer may, at any time inspect any vessel which is to be used on any recreational water area and if he or she reasonably believes that such vessel is not suitable for the launch, operation and use on any recreational water area, he or she may require the person in charge of such vessel to remove such vessel.

(11) The City may, place buoys to indicate an area closed to any vessels for the purposes of using as a fishing area or for remote controlled craft, in which event no vessel shall enter such area.

(12) No person may, except in an emergency, launch, operate or use any vessel on any recreational water area -

- (a) unless such vessel is licensed in terms of this By-law;
- (b) if he or she suffers from any infirmity which renders him or her unfit to do so;
or
- (c) between sunset and sunrise.

(13) No person must launch, operate or use any vessel on any recreational water area -

- (a) at a place other than one from which or where such launch, operation or use is permitted or authorised by the Director and indicated by notice or buoy;
- (b) recklessly or negligently;
- (c) while under the influence of intoxicating liquor or narcotic drugs;
- (d) at a speed or in a manner dangerous to the public or to the occupants of such vessel;
- (e) without reasonable consideration for the rights of other persons using such recreational water area;
- (f) in a manner which constitutes a nuisance; or
- (g) at a speed in excess of the speed determined for that particular recreational water area.

(14) No person must, except with the written permission of the Director –

- (a) launch, operate or use a model boat or model power boat on any recreational water area;

- (b) indulge in kite flying or para-sailing;
- (c) operate a hovercraft or airscrew-driven craft;
- (d) use any water craft propelled by means of a water jet; or
- (e) land any vessel upon any shoreline,

other than inside an area from time to time demarcated for these purposes by the City.

(15) Despite the provisions of this By-law -

- (a) the City may launch, operate or use any vessel upon any recreational water area for the purpose of providing an emergency or rescue service, to provide a municipal service, or to enforce this By-law, and
- (b) the City may give permission to any other person, body or association of persons to launch, operate or use any vessel upon any recreational water area for the purpose of providing an emergency, rescue or transport service, or for the purpose of undertaking research or a survey, subject to such conditions as the Director may stipulate.

Rules relating to power boats

8. (1) No person under the age of 16 years may be in control of a power boat except –

- (a) persons between the ages of 3 and 16 years during special events with written permission from the City; or
- (b) in specially demarcated areas set up for the training of persons between the ages of 3 and 16 years by a certified training organisation, holding such certification to conduct such training from the South African Maritime Safety Association or from a duly accredited licensing agent.

(2) Power boats must be launched only from designated launch ramps.

(3) No power boat may be driven at a speed in excess of 20 km/h within 20 m of the shore.

(4) At all times power boats must give way to sail boats and shall keep at least 20 m clear of any stationary craft.

(5) All power boats must have a robust steering mechanism, properly secured seating, properly secured fuel tanks, properly secured engine mountings and properly secured batteries.

(6) Riding on the bows of any power boat is prohibited unless such boat is fitted with a pulpit of a design approved by the City.

(7) No person may sit upon the gunwale of any power boat whilst such boat is in motion.

(8) All power boats must be fitted with adequate approved silencer systems that are efficient and properly maintained which at all times while the engine is in operation effectively prevents the emission of undue noise.

(9) No powerboat may be fitted with any device capable of increasing or which has the effect of increasing the volume of noise produced by the engine.

(10) Engine covers must be affixed on power boats at all times.

(11) No petrol or petroleum products may be disposed of into the water of any recreational water area and no power boat may leak oil, petrol, fuel or other inflammable liquid or sewage.

(12) Adequately charged fire extinguishers must be provided and maintained on all power driven boats.

(13) Every person operating a power boat on any recreational water area must -

- (a) as far as practicable keep at least 20 m away from any bank, shore, wharf or other structure, any person bathing or any boat other than a power boat;
- (b) when two power boats are heading end on or nearly end on so as to involve a risk of collision, alter course to starboard so as to pass on the port side of the other;
- (c) when two power boats are crossing so as to involve a risk of collision, if he or she has the other on his or her starboard side, keep out of the way of the other; or
- (d) when his or her power boat and a boat are proceeding on courses involving a risk of collision, keep out of the way of the boat.

(14) The prohibition contained in subsection (6) must not apply in any area set aside by the City from time to time for the exclusive use of power boats.

(15) No person may launch, operate or use a power boat on the Milnerton Lagoon, the southern deep water lake of Rietvlei or South Vlei, Princess Vlei, Little Princess Vlei, Liesbeek Lake upstream of the weir on the Liesbeek River at Observatory, or the Black River, or Zandvlei, except that at Zandvlei electrically driven power boats are allowed.

(16) No person may on Zeekoevlei -

- (a) operate a power boat or cause or permit it to be operated at a speed exceeding 80 km/h;
- (b) unless in an emergency, operate a power boat at a speed in excess of 15 km/h on that portion of the recreational water area lying westwards off the line extending from a point, co-ordinates $y + 44,958.74$ $X + 70,311.34$, on the north-eastern tip of the peninsula to a point, co-ordinates $y + 44,939.29$ $X + 69,393.42$, on Pelican Point (also known as Rocky Point) as well as the portion northwards from the perpendicular projection of a line from a point, co-ordinates $y + 44,393.43$ $X + 69,765.13$, being the southern corner of the southernmost parking bay on the eastern shore of Zeekoevlei to where it intersects the line from the point, co-ordinates $y + 44,958.74$ $X + 70,311.34$ to the point, co-ordinates $y + 44,939.29$ $X + 69,393.42$, the said lines to be demarcated by signs approved by the Council and erected at the said points and by such additional signs and buoys as the Council may approve; provided that the foregoing shall not apply to any power boat while it is being used by the Western Province Rowing Association on bona fide escort duties.

(17) No person may launch, operate or use a power boat on any recreational water area, except in accordance with this By-law.

Rules relating to canoe, paddle, and peddle-driven boats

9. (1) At all times canoe and paddle driven boats must give way to sail boats.

Rules relating to water ski-ing and aquaplaning

10. (1) No person may aquaplane or water ski upon any recreational water area except Zeekoevlei and Rietvlei.

(2) No person may manoeuvre a boat in such a way that the boat and the aquaplaner or water skier by such boat shall travel within 20 m of any other person boating, water ski-ing, aquaplaning or fishing.

(3) Every boat towing a water skier must have on board, in addition to the driver –

- (a) a competent person over the age of 16 years, as an observer; and
- (b) a red flag displayed in such a way that it is clearly visible.

(4) In the event of a skier falling, the towing boat must stop immediately and retrieve the ski rope before proceeding to collect the skier.

(5) After beaching a skier, the towing boat must maintain its speed to an outward position in the lake to retrieve the ski rope.

(6) A towline must be of a floating line type and must not be more than 23 m in length.

Rules relating to sailing

11. (1) No fixed keel yachts may be permitted to operate on any recreational water area or water body.

(2) Sailing boats must have right of way over power and paddle boats.

Rules relating to catching fish

12. (1) The catching of fish may only be permitted –

- (a) in areas indicated by the City;
- (b) by means of a rod and reel; and
- (c) with a maximum of two rods per person engaged in catching fish with not more than two single pronged hooks permitted per line.

(2) No person may -

- (a) catch or kill fish in any manner other than by the means permitted;
- (b) use a spear, speargun, bow-and-arrow, cross-bow, hand-line, fyke net, cast net, stake net, gill net, trek net or a like device for fishing;
- (c) use a light for fishing during the hours of darkness; or
- (d) fish from a boat, bridge or any overhead structure.

(3) The catching of fish may only be practiced as a sport and no fish caught in the recreational water area may be sold.

(4) Persons engaging in catching fish must restrict their catches to the number, species and size limits specified by the City from time to time.

(5) Depending on whether the fish being caught is freshwater fish or marine and estuarine fish, person engaged in catching fish must be in possession of either a freshwater fishing licence issued in terms of section 53 of the Nature Conservation Ordinance, 1974 (Ordinance No. 19 of 1974), or a marine fishing license issued in terms of the Marine Living Resources Act, 1998 (Act No.18 of 1998).

(6) All indigenous fish caught must be returned to the water, and all alien or exotic fish caught may not be returned to the water.

Appointment of officers

13. (1) The Council may appoint such officers as it may deem necessary for the enforcement of this By-law and whilst on duty every such officer shall be in possession of a warrant of authority and be dressed in uniform or wear a distinctive armband.

(2) An officer referred to in subsection (1) may order any person who, on any recreational water area launches, operates or uses, sails or rows any vessel in contravention of this By-law to remove such vessel from such recreational water area

(3) Should the person referred to in subsection (2) fail to comply with an order of an officer, such officer may remove the vessel or cause it to be removed from the recreational water area and the costs incurred in removing such vessel must be borne by such person.

Seizure

14. (1) An authorised officer may seize any thing in connection with or by means of which any provision of this By-law is being contravened or is likely to be contravened.

(2) If an offence has been committed by means of or in connection with any thing that has been seized, the same must be dealt with in accordance with the law relating to criminal procedure.

(3) If no offence has been committed such vessel, apparatus, weapon, net, device, substance or object must, when the likelihood of an offence being committed no longer exists, be returned to the person from whom it was seized. If no offence has been committed or the likelihood of an offence being committed no longer exists, any thing that was seized in terms of subsection (1) must be returned to the person from whom such thing was seized.

Right of entry and fees

15. (1) The Council may prescribe charges and fees for the use of any amenity or facility provided by the City, in connection with any recreational water area.

(2) No person may enter, be in or on or remain in or on any amenity or facility in, on or adjoining any recreational water area unless he or she has paid the prescribed charge or fee, in areas where such prescribed charge or fee is applicable.

Powers of authorised officials

16. (1) Subject to this By-law, the City may -

- (a) through its employees in the exercise of its lawful powers do anything in, on, over or to any recreational water area;
- (b) reserve the right of access to any recreational water area;
- (c) totally prohibit the use of any vessel on any recreational water area;
- (d) for the purposes of environmental disaster management evacuate any number of people from any recreational water area; and
- (d) use prohibited means of fishing and trapping of animals and birds in order to eradicate, control, or collect information for the monitoring and research of such fish, animals and birds.

(2) Despite any provision of this by-law, the Director may, for a period determined by him or her, limit the number or classes of vessels on any recreational water area.

Offences and Penalties

17. (1) Any person who -

- (a) contravenes or fails to comply with any provision of this By-law; or
- (b) fails or refuses to comply with any lawful instruction by, or who resists or hinders, an officer in the execution of his or her duty -

shall be guilty of an offence.

(2) Any person who is guilty of an offence in terms of this By-law must,

- (a) on conviction be liable to a fine not exceeding R2000 or imprisonment for a period not exceeding 6 months or to such imprisonment without the option of a fine or to both such fine and such imprisonment; and
- (b) in the case of a continuing offence and on conviction, be liable to an additional fine not exceeding R100 or additional imprisonment for a period not exceeding 10 days or to such additional imprisonment without the option of a fine or to both such additional fine and imprisonment for each day on which such offence is continued.

Repeal of by-laws

18. The by-laws listed in Schedule 1 hereto are hereby repealed.

Short title

19. This By-law is called the City of Cape Town: Recreational Water Areas By-law, 2010.

SCHEDULE 1**REPEAL OF BY-LAWS**

ADMINISTRATION	BY-LAW TO BE REPEALED
Milnerton Municipality	By-Law relating to the use and control of the Rietvlei water area P.N. 912/1977 2 September 1977
Cape Town Municipality	By-law relating to the control and use of recreational water areas and boating thereon P.N. 16/1980 11 January 1980

SCHEDULE 2

(15) No person may launch, operate or use a power boat on the Milnerton Lagoon, the southern deep water lake of Rietvlei or South Vlei, Zandvlei, Princess Vlei, Little Princess Vlei, Liesbeek Lake upstream of the weir on the Liesbeek River at Observatory, or the Black River.

(16) No person may on Zeekoevlei -

- (a) operate a power boat or cause or permit it to be operated at a speed exceeding 80 km/h;
- (b) unless in an emergency, operate a power boat at a speed in excess of 15 km/h on that portion of the recreational water area lying westwards off the line extending from a point, co-ordinates $y + 44,958.74$ $X + 70,311.34$, on the north-eastern tip of the peninsula to a point, co-ordinates $y + 44,939.29$ $X + 69,393.42$, on Pelican Point (also known as Rocky Point) as well as the portion northwards from the perpendicular projection of a line from a point, co-ordinates $y + 44,393.43$ $X + 69,765.13$, being the southern corner of the southernmost parking bay on the eastern shore of Zeekoevlei to where it intersects the line from the point, co-ordinates $y + 44,958.74$ $X + 70,311.34$ to the point, co-ordinates $y + 44,939.29$ $X + 69,393.42$, the said lines to be demarcated by signs approved by the Council and erected at the said points and by such additional signs and buoys as the Council may approve; provided that the foregoing shall not apply to any power boat while it is being used by the Western Province Rowing Association on bona fide escort duties.

10. (1) No person may aquaplane or water ski upon any recreational water area except Zeekoevlei and Rietvlei.