

NOTICE 1024 OF 2009**DEPARTMENT OF TRANSPORT****NATIONAL PORTS ACT, 2005****PORT LIMITS REGULATIONS**

The Minister of Transport intends to repeal regulation 17 of the National Ports Regulations, 2007, and to replace them with a new set of regulations which reflects the correct port limits of the national ports.

The draft Port Limits Regulations containing a description in words and diagrams depicting the correct port limits are contained in the Schedule and are hereby published for public comment.

Interested persons are invited to submit comments in writing by not later than 31 August 2009.

Submissions must be posted to the Director-General, Department of Transport, Private Bag X 193, Pretoria, 0001, for the attention of THM Mphahlele or N Dweba, or submitted by electronic mail or fax to:

Mphahlele@dot.gov.za

Fax No. (012) 309 3134 or 0866095697

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SCHEDULE

WHEREAS the generally accepted current port limits of the respective ports are incorrectly reflected in Government Notice No. R. 1091 of 23 November 2007;

WHEREAS it is necessary to create legal certainty by reflecting the correct port limits of each port; and

WHEREAS the correct description of the respective port limits has been published for public comment under Government Notice No. 1486 of 26 November 2008 as so-called "revised Port Limits", the correct port limits are hereby confirmed and described:

Definitions

1. (1) In these Regulations any word or phrase to which a meaning has been assigned in the National Ports Act, 2005 (Act No. 12 Of 2005), has the meaning so assigned and, unless the context otherwise indicates—

"point" means a point of reference referred to in a description of a port limit in these Regulations as indicated on the applicable Surveyor-General diagram, and which is geographically positioned by way of coordinates in the table of coordinates contained in that diagram, or defined in the description of a port limit;

"survey direction" means the direction from one point to another point based on a South Azimuth System where zero degrees is due south;

"Surveyor-General" means a Surveyor-General as defined in the Land Survey Act, 1997 (Act No. 8 of 1997); and

"Surveyor-General diagram" means the applicable diagram of a port lodged with a Surveyor-General and identified by a number with the prefix "S.G.".

(2) The visual representations of port limits in the Appendices are for ease of reference only and may not be used to determine or verify any port limits.

Description of port limits

2. The port limits for the ports of Richards Bay, Durban, East London, Ngqura, Port Elizabeth, Mossel Bay, Cape Town, Saldanha Bay and Port Nolloth are the areas described below:

(1) Port of Richards Bay

The Port of Richards Bay comprises the area reflected in Surveyor-General diagram S.G. No. 1617/2009, which is visually represented for ease of reference in Appendix 1, and described as follows with reference to Surveyor-General diagram S.G. No. 1617/2009 and the table of coordinates contained therein:

The area bounded by a line commencing at point **a**; thence from point **a** in a straight line to point **A**; thence from point **A** in a straight line to point **B**; thence from point **B** in a straight line to point **C**; thence from point **C** in a straight line to point **D**; thence from point **D** along an irregular line to point **J**; thence from point **J** following the high water mark to point **b** (point **b** being the point where the straight line from point **K** in a 339°30'00" survey direction intersects the high water mark); thence from point **b** along an irregular line to point **L**; thence from point **L** in a straight line to point **M**; thence from point **M** in a straight line to point **N**; thence from point **N** in a straight line to point **P**; thence from point **P** in a straight line to point **Q**; thence from point **Q** in a straight line to point **R**; thence from point **R** in a straight line to point **S**; thence from point **S** in a straight line to point **T**; thence from point **T** in a straight line to point **U**; thence from point **U** in a straight line to point **V**; thence from point **V** in a straight line to point **W**; thence from point **W** in a straight line to point **X**; thence from point **X** in a straight line to point **Y**; thence from point **Y** in a straight line to point **Z**; thence from point **Z** along an irregular line to point **C1**; thence from point

C1 along an irregular line to point **F1**; thence from point **F1** in a straight line to point **G1**; thence from point **G1** in a straight line to point **H1**; thence from point **H1** along an irregular line to point **M1**; thence from point **M1** in a straight line to point **N1**; thence from point **N1** along an irregular line to point **Y1**; thence from point **Y1** along an irregular line to point **D2**; thence from point **D2** in a straight line to point **E2**; thence from point **E2** in a straight line to point **F2**; thence from point **F2** in a straight line to point **c** (point **c** being the point where the straight line from point **F2** in a $349^{\circ}40'10''$ survey direction intersects the high water mark); thence from point **c** following the high water mark to point **d** (point **d** being the point where the straight line from coordinate point Y-105 613,5m; X+3 187 026,4m (which is based on coordinate system WGS84/Lo31) in a $79^{\circ}53'50''$ survey direction intersects the high water mark); thence from point **d** in a straight line to point **e** (point **e** being the point where the straight line from coordinate point Y-105 613,5m; X+3 187 026,4m (which is based on coordinate system WGS84/Lo31) in a $259^{\circ}53'50''$ survey direction intersects the high water mark); thence from point **e** following the high water mark to point **f** (point **f** being the point where the straight line from point **G2** in a $101^{\circ}30'15''$ survey direction intersects the high water mark); thence from point **f** in a straight line to point **G2**; thence from point **G2** along an irregular line to point **g** (point **g** being the point where the straight line from point **L2** in a $312^{\circ}47'50''$ survey direction intersects the high water mark); thence from point **g** along the high water mark to point **a**.

(2) Port of Durban

The Port of Durban comprises the area reflected in Surveyor-General diagram S.G. No. 1616/2009, which is visually represented for ease of reference in Appendix 2, and described as follows with reference to Surveyor-General diagram S.G. No. 1616/2009 and the table of coordinates contained therein:

The area bounded by a line commencing at point **a**; thence from point **a** in a straight line to point **A**; thence from point **A** in a straight line to point **B**; thence from point **B** in a straight line to point **b**; thence from point **b** along the low water mark to point **C**; thence from point **C** in a straight line to point **D**; thence from point **D** along an irregular line to point **L**; thence from point **L** in a straight line to point **M**; thence from point **M** along an irregular line to point **G1**; thence from point **G1** along an irregular line to point **A2**; thence from point **A2** in a straight line to point **B2**; thence from point **B2** in a straight line to point **C2**; thence from point **C2** in a straight line to point **D2**; thence from point **D2** in a straight line to point **E2**; thence from point **E2** in a straight line to point **F2**; thence from point **F2** in a straight line to point **G2**; thence from point **G2** along an irregular line to point **K2**; thence from point **K2** in a straight line to point **L2**; thence from point **L2** in a straight line to point **M2**; thence from point **M2** in a straight line to point **N2**; thence from point **N2** in a straight line to point **P2**; thence from point **P2** in a straight line to point **Q2**; thence from point **Q2** in a straight line to point **R2**; thence from point **R2** along an irregular line to point **T2**; thence

from point **T2** along an irregular line to point **Y2**; thence from point **Y2** in a straight line to point **Z2**; thence from point **Z2** along an irregular line to point **E4**; thence from point **E4** in a straight line to point **F4**; thence from point **F4** along an irregular line to point **H4**; thence from point **H4** in a straight line to point **J4**; thence from point **J4** in a straight line to point **K4**; thence from point **K4** in a straight line to point **L4**; thence from point **L4** along an irregular line to point **A5**; thence from point **A5** along an irregular line to point **F5**; thence from point **F5** along an irregular line to point **N5**; thence from point **N5** in a straight line to point **P5**; thence from point **P5** along an irregular line to point **S5**; thence from point **S5** in a straight line to point **T5**; thence from point **T5** along an irregular line to point **Y5**; thence from point **Y5** in a straight line to point **Z5**; thence from point **Z5** in a straight line to point **A6**; thence from point **A6** in a straight line to point **B6**; thence from point **B6** in a straight line to point **C6**; thence from point **C6** in a straight line to point **D6**; thence from point **D6** along an irregular line to point **F6**; thence from point **F6** in a straight line to point **G6**; thence from point **G6** along an irregular line to point **Y6**; thence from point **Y6** along an irregular line to point **P7**; thence from point **P7** in a straight line to point **Q7**; thence from point **Q7** along an irregular line to point **P8**; thence from point **P8** in a straight line to point **Q8**; thence from point **Q8** in a straight line to point **R8**; thence from point **R8** along an irregular line to point **D9**; thence from point **D9** in a straight line to point **E9**; thence from point **E9** in a straight line to point **F9**; thence from point **F9** in a straight line to point **G9**; thence from point **G9** in a straight line to point **H9**; thence from point **H9** in a straight line to point **J9**; thence from point **J9** along an irregular line to point **R9**; thence from point **R9** in a straight line to point **S9**; thence from point **S9** along an irregular line to point **D10**; thence from point **D10** in a straight line to point **E10**; thence from point **E10** along an irregular line to point **N10**; thence from point **N10** along an irregular line to point **Z10**; thence from point **Z10** in a straight line to point **A11**; thence from point **A11** in a straight line to point **B11**; thence from point **B11** along an irregular line to point **L11**; thence from point **L11** in a straight line to point **M11**; thence from point **M11** in a straight line to point **N11**; thence from point **N11** in a straight line to point **P11**; thence from point **P11** in a straight line to point **Q11**; thence from point **Q11** in a straight line to point **R11**; thence from point **R11** along an irregular line to point **U11**; thence from point **U11** in a straight line to point **V11**; thence from point **V11** in a straight line to point **W11**; thence from point **W11** along an irregular line to point **B12**; thence from point **B12** along an irregular line to point **T12**; thence from point **T12** in a straight line to point **U12**; thence from point **U12** along an irregular line to point **W12**; thence from point **W12** along the high water mark to point **a**,

but, excluding the area bounded by a line commencing at point **A13**; thence from point **A13** in a straight line to point **B13**; thence from point **B13** in a straight line to point **C13**; thence from point **C13** in a straight line to point **D13**; thence from point **D13** in a straight line to point **E13**; thence from point **E13** in a straight line to point **F13**; thence from point **F13** in a straight line to point **G13**; thence from point **G13** in a straight line to point

H13; thence from point **H13** in a straight line to point **J13**; thence from point **J13** in a straight line to point **K13**; thence from point **K13** in a straight line to point **L13**; thence from point **L13** in a straight line to point **M13**; thence from point **M13** in a straight line to point **N13**; thence from point **N13** in a straight line to point **P13**; thence from point **P13** in a straight line to point **Q13**; thence from point **Q13** in a straight line to point **R13**; thence from point **R13** in a straight line to point **A13**.

(3) Port of East London

The Port of East London comprises the area reflected in Surveyor-General diagram S.G. No. 6216/2008, which is visually represented for ease of reference in Appendix 3, and described as follows with reference to Surveyor-General diagram S.G. No. 6216/2008 and the table of coordinates contained therein:

The area bounded by a line commencing at point **a**; thence from point **a** in a straight line to point **A**; thence from point **A** in a straight line to point **B**; thence from point **B** in a straight line to point **b**; thence from point **b** along the high water mark to point **c** (point **c** being the point where the extended straight line from point **D** through point **C** intersects the high water mark); thence from point **c** in a straight line to point **C**; thence from point **C** in a straight line to point **D**; thence from point **D** along an irregular line to point **U**; thence from point **U** in a straight line to point **V**; thence from point **V** along an irregular line to point **K1**; thence from point **K1** in a straight line to point **L1**; thence from point **L1** in a straight line to point **M1**; thence from point **M1** in a straight line to point **N1**; thence from point **N1** in a straight line to point **P1**; thence from point **P1** along an irregular line to point **M2**; thence from point **M2** in a straight line to point **N2**; thence from point **N2** in a straight line to point **P2**; thence from point **P2** in a straight line to point **Q2**; thence from point **Q2** in a straight line to point **R2**; thence from point **R2** in a straight line to point **S2**; thence from point **S2** in a straight line to point **T2**; thence from point **T2** in a straight line to point **U2**; thence from point **U2** in a straight line to point **V2**; thence from point **V2** in a straight line to point **W2**; thence from point **W2** along an irregular line to point **B4**; thence from point **B4** in a straight line to point **C4**; thence from point **C4** along an irregular line to point **K4**; thence from point **K4** in a straight line to point **L4**; thence from point **L4** along an irregular line to point **S4**; thence from point **S4** in a straight line to point **T4**; thence from point **T4** along an irregular line to point **X4**; thence from point **X4** along an irregular line to point **H5**; thence from point **H5** in a straight line to point **J5**; thence from point **J5** along an irregular line to point **T5**; thence from point **T5** in a straight line to point **U5**; thence from point **U5** along an irregular line to point **Z5**; thence from point **Z5** in a straight line to point **A6**; thence from point **A6** in a straight line to point **B6**; thence from point **B6** in a straight line to point **C6**; thence from point **C6** along an irregular line to point **G6**; thence from point **G6** along the high water mark to point **a**.