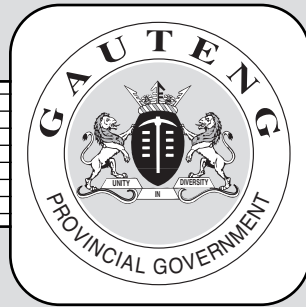


**THE PROVINCE OF
GAUTENG**



**DIE PROVINSIE
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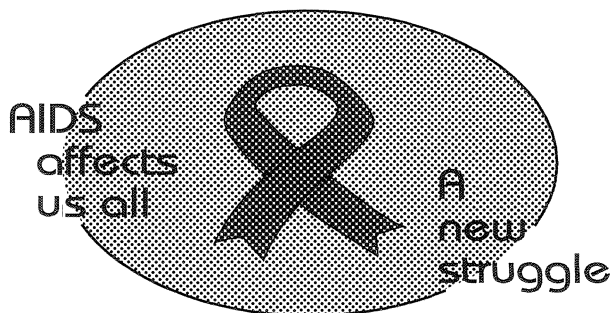
Provincial Gazette Extraordinary Buitengewone Provinsiale Koerant

Vol. 19

PRETORIA, 12 SEPTEMBER 2013

No. 266

We all have the power to prevent AIDS



Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

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GENERAL NOTICE

NOTICE 2441 OF 2013

DEPARTMENT OF ROADS AND TRANSPORT

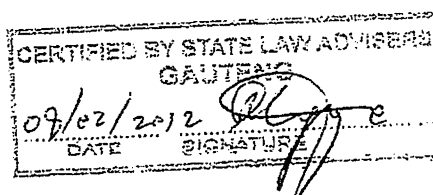
NATIONAL LAND TRANSPORT ACT, 2009
(Act No. 5 of 2009)

REGULATIONS ON PROCEDURES TO BE FOLLOWED IN PROMOTING PUBLIC PARTICIPATION IN TRANSPORT PLANNING PROCESS

The Member of the Executive Council responsible for public transport in the Province has, in terms of sections 10(1) (g) of the National Land Transport Act, 2009 (Act No.5 of 2009), made the Regulations in the Schedule.

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Definitions

1. In these regulations, unless the context indicates otherwise, a word or expression that is defined in the Act has the same meaning in these regulations, and in addition-

"the Act" means the National Land Transport Act (Act No. 5 of 2009);

"Council" means a Municipal Council as defined in the Constitution of the Republic of South Africa, 1996 and in the Local Government: Municipal Structures Act 1998 (Act No.117 of 1998);

"PLTF" means Provincial Land Transport Framework as defined in the Act;

"Stakeholders" means public transport operators and other affected parties and includes organised bodies of persons, juristic persons having interest in transport planning and other government bodies having interest or affected by or affecting transport planning in the Province; and

"Transport plan," means Provincial Land Transport Framework and an Integrated Transport Plan.

Scope of application

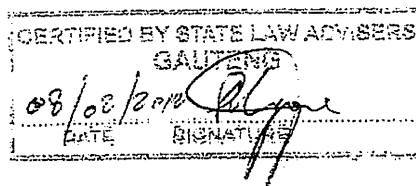
2. These regulations only apply to transport planning process in the Province.

Notice of intention to start transport planning process

3.(1) Municipalities in their capacity as Planning Authorities must develop Integrated Transport Plans for their areas of Planning Authority as contemplated in section 36 of the Act.

(2) Before municipalities may commence with the development of such integrated transport plans, members of the public and other interested parties must be invited to make written submissions on matters to be included and considered in the transport plans taking into account the immediate transport needs and challenges of the public in that area of Planning Authority.

(3) The notice referred to in sub-regulation (2) must be published in at least two newspapers circulating in the area of the Planning Authority; one



of which must be in English.

(4)The same notice referred to in sub-regulation (2) must be placed on public notice boards at all offices of the Planning Authority throughout the Province.

Stakeholder engagement

4.(1)On completion of the first draft integrated transport plan, notice must be issued of the completion and availability for inspection of the first draft integrated transport plan, through newspapers circulating in the area of the Planning Authority and also on the public notice boards in the Municipal Offices and reception areas of Multi-Purpose Community Centres.

(2)A Planning Authority must begin to engage members of the public and stakeholders at the Planning Authority level by, inviting them to comment on the first draft integrated transport plan following all the consultative mechanisms as contemplated in section 19(3) of the Local Government: Municipal Structures Act, 1998 (Act No.117 of 1998).

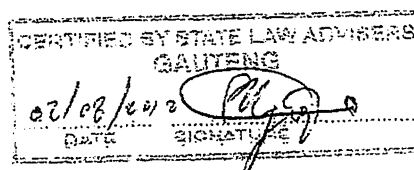
(3)The transport plan contemplated in sub regulation (1) must be made available to members of the public and all interested stakeholders by placing copies of the transport plans in the Municipal Offices and Multi-Purpose Community Centres in the area of the Planning Authority and these copies must also be made available for download from the website of the Planning Authority concerned.

(4)Written comments and submissions must be addressed to the Planning Authority within a time period as determined by the Planning Authority concerned.

(5)Where appropriate, the Planning Authority may invite stakeholders and members of the public to a meeting to deliberate on the comments made and to further clarify complex issues that may arise during the public participation process.

Submission of integrated transport plan to MEC

5.(1)After the public participation process, the Planning Authority having followed its internal processes including the consideration and adoption of the integrated transport plan by the Council, the Planning Authority must submit the plan to the MEC for approval in terms of section 36 of the Act.



(2) In submitting the integrated transport plan for approval, the Planning Authority must include a report regarding the public participation process indicating compliance with the provisions of these regulations.

Invitation to the public

6.(1) In terms of section 35 of the Act, the MEC must prepare a five year PLTF in accordance with the requirements prescribed by the Minister after consultation with other MECs.

(2) Once the first draft of the PLTF has been completed, the MEC must publish a notice in the Provincial Gazette and in at least two newspapers circulating in the Province notifying the public of the completion and availability for inspection of the first draft PLTF.

(3) The notice must invite the public to inspect the draft PLTF at the offices of the Department of Roads and Transport throughout the Province and also for download from the website of the Department.

(4) The notice must include a date not less than 30 days from the date of publication, by which the public may submit written comments and inputs on the PLTF to the Department for consideration.

Meeting with Planning Authorities and other Government Departments

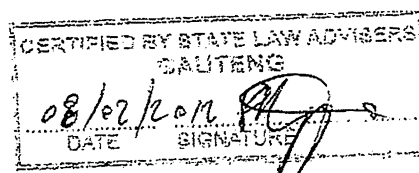
7.(1) The MEC must invite Planning Authorities and other relevant Government Departments to discuss comments and inputs as received from the public as contemplated in regulation 6 of these regulations.

(2) Depending on the comments and inputs received from other Government Departments and Planning Authorities, the first draft PLTF may be revised and a second draft produced for further consultation.

(3) All reasonable steps should be taken by the Department to ensure that the PLTF as a transport-planning tool finds expression in the development of the Integrated Development Plans as contemplated in section 23 of the Municipal Systems Act, 2000 (Act No. 32 of 2000).

Public Participation Process

8.(1) After considering the inputs and comments received in terms of regulation 7, the MEC must conduct public hearings on the revised draft PLTF with stakeholders.



(2)The stakeholders must be given access to the latest draft of the PLTF to be discussed at the public hearings at least 30 days before such public hearings.

(3)At the public hearings, the stakeholders and members of the public must be allowed sufficient time for oral submissions and also to submit their written submissions to the Department for consideration as part of the finalisation of the PLTF.

Submission of PLTF to the Minister

9.(1)The MEC must submit the final PLTF to the Minister for approval in terms of section 35 of the Act, attaching draft record of the public participation process followed to prepare the PLTF.

(2)PLTF must be accompanied by copies of all agreements regarding interprovincial transport concluded between the Province and other Provinces.

Short title

10.These regulations are called the Regulations on Procedures to be followed in Promoting Public Participation in Transport Planning Processes, 2012 and come into operation on the date of publication thereof in the Provincial Gazette.

