

***THE PROVINCE OF
GAUTENG***

***DIE PROVINSIE VAN
GAUTENG***

**Provincial Gazette
Provinsiale Koerant**
EXTRAORDINARY • BUITENGEWOON

Selling price • Verkoopprijs: **R2.50**
Other countries • Buitelands: **R3.25**

Vol: 27

PRETORIA
13 JULY 2021
13 JULIE 2021

No: 222

Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
	GENERAL NOTICES • ALGEMENE KENNISGEWINGS		
751	Gauteng Transport Infrastructure Act (8/2001), as amended by Gauteng Transport Infrastructure Amendment Act (6/2003): Notice of proposed route determination for Phase 1 of the Gauteng Rapid Rail Integrated Network Extensions.....	222	3
751	Gauteng Wet op Vervoerinfrastruktuur (8/2001), soos gewysig deur Gauteng Wet op Vervoerinfrastruktuur Wysigingswet (6/2003): Kennisgewing van die voorgestelde roetebepaling vir die Geïntegreerde Gauteng Snelspoorverbinding-uitbreiding	222	7

GENERAL NOTICES • ALGEMENE KENNISGEWINGS**GENERAL NOTICE 751 OF 2021**

GAUTENG TRANSPORT INFRASTRUCTURE ACT, 2001 (ACT NO. 8 OF 2001), AS AMENDED BY GAUTENG TRANSPORT INFRASTRUCTURE AMENDMENT ACT, 2003 (ACT NO.6 OF 2003)

GAUTENG DEPARTMENT OF ROADS AND TRANSPORT

NOTICE OF PROPOSED ROUTE DETERMINATION FOR PHASE 1 OF THE GAUTENG
RAPID RAIL INTEGRATED NETWORK EXTENSIONS

The Member of the Executive Council for Public Transport and Roads Infrastructure in the Gauteng Province hereby gives notice of his intent to determine a route for Phase 1 of the Gauteng Rapid Rail Integrated Network Extensions in terms of section 6 of the Gauteng Transport Infrastructure Act, 2001 (Act No. 8 of 2001) ("the Act"), as amended.

The following is a broad description of the route:

The proposed route starts at the proposed location of the Little Falls Station which is located to the east of Hendrik Potgieter Road in Willowbrook. From the proposed Little Falls Station, the route runs in a north easterly direction towards Zandspruit where the route will pass to the west of Jackal Creek Golf Estate. The route then changes in a south easterly direction towards Cosmo City and a newly proposed Cosmo Station. From the Cosmo Station the route will continue in a south easterly direction towards the newly proposed Randburg Station, passing through North Riding, Olivedale, Bryanston, and Ferndale.

The route will continue in a south easterly direction through Randburg, Bordeaux, and Hurlingham. Once it has reached Sandhurst the route will change direction towards the existing Sandton Station where an upgraded station is proposed. From Sandton the route will run in a north easterly direction through Sandton, Sandown, Marlboro, and Alexandra towards the existing Marlboro Station that will be upgraded to accommodate the new alignment.

A Preliminary Route Alignment Report, and Environmental Assessment Report for the proposed alignment are available for inspection on the Gautrain Management Agency ("GMA") website at www.gma.gautrain.co.za/projects. Memory sticks containing copies of these reports may be obtained on request by prior arrangement through the submission of the said request to phase1@gautengrapidrail.co.za for collection at the GMA's Offices located at the following address:

44 Grand Central Boulevard
Grand Central X1

Midrand

Tel: (011) 086 3500

Interested and affected parties are invited to submit written comments on the recommended route no later than 15 August 2021. Submission of comments may be made through the Gautrain Management Agency Website at <http://gma.gautrain.co.za/projects/Pages/5-1-3-Public-Participation.aspx>, or by email to phase1@gautengrapidrail.co.za for attention: The Project Manager: GRRIN Extensions Project, with the subject GRRINE/RD01.

The information contained in the Preliminary Route Alignment Report is only to the extent required for purposes of Route Determination and thus contains a broad description of the route only. Further information on detailed design, road closures, and the impact on properties located along the proposed alignment will be developed as part of the Preliminary Design Phase that is required by Section 8 of the Act and is undertaken as part of the next planning phase.

Notice is also given that the regulatory measures contemplated in section 7 of the Act will take effect on publication of the route in terms of section 6(11) of the Act. These measures include that every application for the establishment of a township, for subdivision of land, for any change of land use in terms of any law or town planning scheme as well as for any authorisation contemplated in the Environment Conservation Act, 1989 (Act No. 73 of 1989) or the National Environmental Management Act, 1998 (Act No. 107 of 1998) in respect of the areas mentioned in section 8(1) of the Act, must be accompanied by a written report by a consulting civil engineering firm specialising in road / rail design and transportation engineering, reporting on the matters set out in that section. These measures appear from that section, which is quoted below for reference and convenience:

“Regulatory measures in respect of routes

7.(1) After the publication of the notice contemplated in section 6(11) and in addition to any law, every application for the establishment of a township, for subdivision of land, for any change of land use in terms of any law or town planning scheme as well as for any authorisation contemplated in the ECA and NEMA, in respect of the areas mentioned in section 8(1), must be accompanied by a written report by a consulting civil engineering firm specialising in road design and transportation engineering, reporting on the following matters:

- (a) The effect and impact which the granting of such application may have in respect of –
 - (i) The route contemplated in section 6(11);
 - (ii) the future preliminary design of the provincial road or railway line in respect of which the said route has been determined; and
 - (iii) any other route published or deemed to have been published in terms of section 6(11), any preliminary design in respect of which the acceptance

has been published or deemed to have been published in terms of section 8(7) and any other provincial road or railway line.

- (b) The feasibility of amending the said route and the costs in respect thereof, should the application be granted;
 - (c) the additional cost in respect of future preliminary design if an amended route should be found to be feasible, should the application be granted; and
 - (d) any other relevant matter pertaining to the said route, design and construction of the provincial road or railway line which may be relevant should the application be granted.
- (2) The consulting civil engineering firm referred to in subsection (1) must be approved by the MEC as having members with the necessary specialisation and competence as contemplated in subsection (1) and with at least ten years' experience in the required disciplines.
- (3) The application accompanied by the report in addition to the provisions of any other law must be forwarded to the MEC by:
- (a) The municipality; or
 - (b) the authority or body to which such application has been made; or
 - (c) the applicant, provided that the applicant must –
 - (i) obtain the consent of the authorities mentioned in paragraph (a) or (b); and
 - (ii) submit proof to the satisfaction of the relevant authority that the applicant has forwarded the application to the MEC.
- (4) The MEC may comment in writing on the application and accompanying report to the municipality, other authority, or body to whom the application has been made, within a period of 60 days after having received the application and accompanying report, or such shorter period as may be prescribed in terms of any other law.
- (5) No application may be granted without due consideration of –
- (a) The comments submitted by the MEC;
 - (b) the written report and matters contemplated in subsection (1) above;
 - (c) the additional costs which the granting of the application may cause directly and indirectly to the State and the community concerned, weighed against the advantage to the applicant and the community of granting the application; and
 - (d) the extent to which the granting of the application promotes sustainable development which integrates transport planning and land use planning in view of transportation engineering requirements.
- (6) After having made its decision on the application, the municipality or other authority must inform the MEC in writing of its decision within 14 days after having made such decision and in the event of the application having been granted, must furnish full reasons for such decision in writing to the MEC within the said period.
- (7) Within 28 days after having received the decision and reasons for having granted the application, the MEC is entitled to appeal against the decision, in accordance with the procedure prescribed in the applicable law with the necessary changes being made, to the appeal authority or appeal tribunal provided for in the relevant law, provided that where the applicable law prescribes an appeal to the Premier, any member of the Executive Committee, or Government official of the Province, the appeal must be heard and finally disposed of by the Townships Board for the Province as though the said Townships Board had the final appellate jurisdiction with regard to the appeal.

- (8) After the publication of the notice contemplated in section 6(11) and despite any law to the contrary, no service provider may after commencement of this section, lay, construct, alter or add to any pipeline, electricity line or cable, telephone line or cable, or any other structure on, over or under the areas described in section 8(1) or may construct, alter, or add to any structure of any nature whatsoever on, over or under such areas, except –
- (a) if the written permission of the MEC has been obtained and only in terms of such conditions as the MEC may prescribe; or
 - (b) in terms of an existing registered servitude.”

ALGEMENE KENNISGEWING 751 VAN 2021**GAUTENG WET OP VERVOERINFRASTRUKTUUR, 2001 (WET NO. 8 VAN 2001),
SOOS GEWYSIG DEUR GAUTENG WET OP VERVOERINFRASTRUKTUUR
WYSIGINGSWET, 2003 (WET NO.6 VAN 2003)****GAUTENG DEPARTEMENT VAN PUBLIEKE VERVOER EN PADINFRASTRUKTUUR
KENNISGEWING VAN DIE VOORGESTELDE ROETEBEPALING VIR DIE
GEINTEGREERDE GAUTENG SNELSPoorVERBINDING UITBREIDING**

Die Lid van die Uitvoerende Raad vir Publieke Vervoer en Padinfrastruktuur van die Provinsie Gauteng gee hiermee kennis dat hy van voorneme is om die roete vir die Geïntegreerde Gauteng Snelspoorverbinding Uitbreiding uit hoofde van artikel 6 van die Gauteng Wet op Vervoerinfrastruktuur, 2001 (Wet No. 8 van 2001)(soos gewysig), ("die Wet") te bepaal.

Die volgende is 'n breë beskrywing van die roete:

Die voorgestelde roete begin by die beplande Little Falls Stasie oos van Hendrik Potgieter Weg in Willowbrook. Vanaf die voorgestelde Little Falls Stasie volg die roete 'n noord-oostelike rigting na Zandspruit vanwaar dit aan die westelike kant van die Jackal Creek Golfplandoed verbybeweeg. Van hier af beweeg die voorgestelde roete in 'n suid-oostelike rigting na Cosmo City en die nuwe voorgestelde Cosmo Stasie. Vanaf die voorgestelde Cosmo Stasie volg die roete 'n suid-oostelike rigting na die voorgestelde Randburg Stasie deur die North Riding, Olivedale, Bryanston, en Ferndale areas.

Vanaf die nuwe Randburg Stasie volg die voorgestelde roete 'n suid-oostelike rigting deur Randburg, Bordeaux, en Hurlingham. Vanaf Sandhurst verander die roete weer rigting na die huidige Sandton Stasie waar 'n nuwe / opgegradeerde stasie voorgestel word. Vanaf Sandton volg die roete 'n Noord-oostelike rigting deur Sandton, Sandown, Marlboro en Alexandra na die huidige Marlboro Stasie wat opgegradeer sal word om die nuwe voorgestelde roete te akkomodeer.

'n Voorlopige roetebepalingsverslag en omgewingsverslag van die voorgestelde roete is beskikbaar vir besigtiging op die Gautrain Management Agency (GMA) webtuiste - www.gma.gautrain.co.za/projects. Geheuestokkies met elektroniese afskrifte van hierdie dokumente kan ook gereel word deur vooraf 'n versoek te rig deur 'n e-pos te stuur aan phase1@gautengrapidrail.co.za. Die geheuestokkies kan dan afgehaal word by die GMA kantore by die volgende adres:

44 Grand Central Boulevard

Grand Central X1

Midrand

Tel: (011) 086 3500

Belanghebbende partye en partye wat geraak word, word uitgenooi om skriftelike kommentaar oor die voorgestelde roete nie later as 15 Augustus 2021 te doen nie. Indiening van kommentaar kan gedoen word deur die GMA se Webtuiste by <http://gma.gautrain.co.za/projects/Pages/5-1-3-Public-Participation.aspx>, of per e-pos na phase1@gautengrapidrail.co.za, vir aandag – **Die Projekbestuurder: GRRIN Uitbreidingsprojek**, met aanhaling van verwysingsnommer **GRRINE / RD01**.

Die inligting in die Roetebepalingsverslag vervat is slegs tot die mate benodig vir doeleindes van die Roetebepaling en bevat slegs 'n breë beskrywing van die roete. Verdere gedetailleerde ontwerp-inligting en inligting met betrekking tot die sluiting van strate en die uitwerking op eiendomme sal as deel van die proses van Voorlopige Ontwerp ingesluit word om te voldoen aan die volgende beplanningsfase soos deur artikel 8 van die Wet vereis.

Kennis word ook gegee dat die reguleringsmaatreëls bedoel in artikel 7 van die Wet by publukasie van die roete uit hoofed van artikel 6(11) van die Wet in werking sal tree. Sodanige maatreëls behels die dat elke aansoek om die stigting van 'n dorp, vir onderverdeling van grond, vir enige verandering van grondgebruik ingevolge enige wet of dorpsbeplanningskema asook om enige magtiging bedoel in die Wet op Omgewingsbewaring, 1989 (Wet No.73 van 1989)(WOB) of die Wet op Nasionale Omgewingsbestuur, 1998 (Wet No. 107 van 1998)(WNOB) met betrekking tot die gebiede beoog in artikel 8(1) van die Wet, gepaard moet gaan met 'n skriftelike verslag van 'n raadgewende siviele ingenieursfirma wat in spoor / pad ontwerp en vervoeringenieurswese spesialiseer, wat oor die aangeleenthede in daardie artikel verslag doen. Sodanige maatreëls blyk uit daardie artikel, wat hieronder geriefshalwe aangehaal word:

“Reguleringsmaatreëls ten opsigte van roetes

7.(1) Na die publikasie in artikel 6(11) bedoel en benewens enige wet, moet elke aansoek vir die stigting van 'n dorp, vir die onderverdeling van grond, vir enige verandering in grondgebruik ingevolge enige wet of dorpsbeplanningskema asook vir enige magtiging in die WOB en die WNOB bedoel, ten opsigte van die gebiede in artikel 8(1) bedoel, gepaard gaan met 'n skriftelike verslag deur 'n raadgewende siviele ingenieursfirma wat spesialiseer in padontwerp en vervoeringenieurswese, waarin oor die volgende aangeleenthede verslag gedoen word:

- (a) Die uitwerking en invloed wat die toestaan van sodanige aansoek kan hê ten opsigte van –
 - (i) die roete in artikel 6(11) bedoel;
 - (ii) die toekomstige voorlopige ontwerp van die provinsiale pad of spoorlyn ten opsigte waarvan die gemelde roete bepaal is; en
 - (iii) enige ander roete wat ingevolge artikel 6(11) gepubliseer is of geag word gepubliseer te gewees het, enige voorlopige ontwerp ten opsigte waarvan die aanvaarding ingevolge artikel 8(7) gepubliseer is of geag word gepubliseer te gewees het, en enige and provinsiale pad of spoorlyn;
- (b) die uitvoerbaarheid van die wysiging van gemelde roete en die koste ten opsigte daarvan, indien die aansoek toegestaan word;
- (c) die bykomende koste ten opsigte van toekomstige voorlopige ontwerp indien 'n gewysigde roete uitvoerbaar bevind sou word, indien die aansoek toegestaan word; en
- (d) enige ander tersaaklike aangeleentheid rakende gemelde roete, ontwerp en bou van die provinsiale pad of spoorlyn wat toepaslik kan wees indien die aansoek toegestaan word.

(2) Die raadgewende siviele ingenieursfirma in subartikel (1) gemeld wat deur die LUR goedgekeur moet word, moet lede hê met die nodige spesialisasie en bekwaamheid soos in subartikel (1) bedoel en met minstens tien jaar ondervinding in die verlangde dissiplines.

(3) Die aansoek vergesel van die verslag, benewens die bepalings van enige ander wet, moet aan die LUR gestuur word deur -

- (a) die munisipaliteit; of
- (b) die owerheid of liggaam aan wie sodanige aansoek gerig is; of
- (c) die aansoeker, met dien verstande dat die aansoeker –
 - (i) die instemming van die owerhede in paragraaf (a) of (b) bedoel moet kry; en
 - (ii) bewys tot tevredenheid van die betrokke owerheid moet voorlê dat die aansoeker die aansoek aan die LUR gestuur het.

(4) Die LUR kan skriftelik kommentaar lewer op die aansoek en gepaardgaande verslag aan die munisipaliteit, ander owerheid of liggaam aan wie die aansoek gerig is, binne 'n tydperk van 60 dae na ontvangs van die aansoek en gepaardgaande verslag, of sodanige korter tydperk as wat ingevolge enige ander wet voorgeskryf is.

(5) Geen aansoek mag toegestaan word nie sonder behoorlike oorweging van –

- (a) die kommentaar deur die LUR ingedien;
- (b) die skriftelike verslag en aangeleenthede in subartikel (1) hierbo bedoel;
- (c) die bykomende koste wat die toestaan van die aansoek regstreeks en onregstreeks vir die Staat en die betrokke gemeenskap kan meebring, opgeweeg teen die voordeel van die toestaan van die aansoek vir die aansoeker en die gemeenskap; en
- (d) die mate waarin die toestaan van die aansoek volhoubare ontwikkeling bevorder, wat vervoerbeplanning en grondgebruik-beplanning integreer met die oog op vervoeringenieursvereistes.

(6) Nadat sy besluit oor die aansoek geneem is, moet die munisipaliteit of ander owerheid die LUR skriftelik van sy besluit in kennis stel binne 14 dae nadat sodanige besluit geneem is, en indien die aansoek toegestaan is, moet die munisipaliteit of ander owerheid volledige redes vir sodanige besluit binne gemelde tydperk skriftelik aan die LUR verskaf.

(7) Binne 28 dae na ontvangs van die besluit en redes vir die toestaan van die aansoek is die LUR geregtig om teen die besluit te appelleer, in ooreenstemming met die prosedure voorgeskryf in die toepaslike wet, met die nodige veranderinge, na die appèlowerheid of appèltribunaal waarvoor die toepaslike wet voorsiening maak, met dien verstande dat waar die toepaslike wet 'n appèl na die Premier, enige lid van die Uitvoerende Komitee of enige sttatsamptenaar van die Provinsie voorskryf, die appèl deur die Dorperaad vir die Provinsie aangehoor en afgehandel moet word asof bedoelde Dorperaad die finale appèljurisdiksie met betrekking tot die appèl het.

(8) Na publikasie van die kennisgewing in artikel 6(11) bedoel en ondanks enige andersluidende wetsbepaling mag geen diensverkaffer na die inwerkingtreding van hierdie artikel enige pyleiding, elektrisiteitslyn of-kabel, telefoonlyn of -kabel of enige ander struktuur op, oor of onder die gebiede in artikel 8(1) beskryf lê, bou, verander of daaraan toevoeg nie of enige struktuur van enige aard hoegenaamd op, oor of onder sodanige gebiede bou, verander of daaraan toevoeg nie, behalwe -

- (a) Indien die skriftelike toestemming van die LUR verkry is en slegs ooreenkomstig sodanige voorwaardes as wat die LUR voorskryf; of
- (b) Ooreenkomstig 'n bestaande geregistreerde serwituut."