

JOINT NOTICE OF THE WESTERN CAPE GOVERNMENT AND THE CITY OF CAPE TOWN METROPOLITAN MUNICIPALITY:

PROPOSED WITHDRAWAL OF THE PUBLIC ROAD PROCLAMATIONS OF FORMER DIVISIONAL ROADS AND PORTIONS OF FORMER DIVISIONAL ROADS, AND PROPOSED WITHDRAWAL OF THE CLASSIFICATIONS AND PROCLAMATIONS OF CERTAIN MINOR ROADS IN THE AREA OF THE CITY OF CAPE TOWN METROPOLITAN MUNICIPALITY, AND PROPOSED DECLARATION OF THESE ROADS AND ROAD PORTIONS AS PUBLIC PLACES UNDER THE OWNERSHIP, RESPONSIBILITY AND AUTHORITY OF THE CITY OF CAPE TOWN METROPOLITAN MUNICIPALITY

1. I, Tertuis Simmers, the Provincial Minister of Infrastructure in the Western Cape Government, give notice of my intention under section 3(2) of the Roads Ordinance, 1976 (Ordinance 19 of 1976) to:
 - 1.1. Withdraw the public road proclamations of certain former divisional roads and portions of former divisional roads situated in the inner municipal area of the City of Cape Town Metropolitan Municipality, as described, and listed in schedules available for public inspection referred to in paragraph 2 below; and
 - 1.2. Withdraw the road classifications and public road proclamations of certain minor roads and portions of minor roads situated in the inner municipal area of the City of Cape Town Metropolitan Municipality (“minor roads”), referred to in paragraph 2 below.
2. I, Geordin Hill-Lewis, the Executive Mayor of the City of Cape Town Metropolitan Municipality, pursuant to section 1 of the said Municipality’s Immoveable Property By-law (*Provincial Gazette* 7544, dated 11 December 2015), give notice of the intention of the City of Cape Town Metropolitan Council to declare the abovementioned former divisional roads, portions of former divisional roads and minor roads to be “public places” as defined in section 1 of the said By-law where the public road proclamations and, where applicable, road classifications in respect of such roads and road portions have been withdrawn as contemplated in paragraph 1 above. Once these roads and road portions are declared to be “public places”, the authority, responsibility, and ownership in respect of these roads and road portions will, in terms of section 2 of the City of Cape Town Metropolitan Municipality’s Immoveable Property By-law (*Provincial Gazette* 7544, dated 11 December 2015), vest in the City of Cape Town Metropolitan Municipality.

3. A copy of the schedules referred to above is available for public inspection from 30 March 2023 to 17 May 2023 —
 - 3.1. On the websites of the Western Cape Government at <https://www.westerncape.gov.za> and the City of Cape Town at <https://www.capetown.gov.za/>;
 - 3.2. In the foyer of the Department of Transport and Public Works located at 9 Dorp Street, Cape Town between 08:00 and 14:00 on business days; and
 - 3.3. 12 Herzog Boulevard, Cape Town between 08:00 and 14:00 on business days between 30 March and 17 May 2023.
4. The proposed decisions referred to above are intended to ensure that ownership, responsibility and authority in respect of the roads and road portions in question may be appropriately vested, in terms of section 2 of the City of Cape Town Metropolitan Municipality's Immovable Property By-law (Provincial Gazette 7544, dated 11 December 2015), in the City of Cape Town Metropolitan Municipality, being the municipality having jurisdiction over the areas through which such roads pass.
5. The abovementioned proposed decisions are considered necessary after a consideration of the function of each road or road portion (as the case may be). The following considerations are relevant and have informed the above:
 - 5.1. The relevant former divisional roads and portions of former divisional roads (which are located in the municipal area of the City of Cape Town Metropolitan Municipality) have ceased to be classified as divisional roads by operation of law in terms of section 66(3) of the Roads Ordinance 1976 (Ordinance 19 of 1976).
 - 5.2. The relevant former divisional roads, portions of former divisional roads and minor roads have been identified by the Western Cape Government and the City of Cape Town Metropolitan Municipality for the purposes of the abovementioned proposed decisions after consideration of the following factors:
 - 5.2.1. Whether such roads and road portions qualify to be declared as "public places" in terms of section 1 of the City of Cape Town Metropolitan Municipality's Immovable Property By-law (Provincial Gazette 7544, dated 11 December 2015);

5.2.2. Whether such roads and road portions start and end within the municipal area of the City of Cape Town Metropolitan Municipality.

5.2.3. Whether such roads and road portions do not give passage to places that have substantial significance outside the City of Cape Town Metropolitan Municipality.

5.2.4. Whether such roads and road portions are not used for a purpose that has substantial significance outside the City of Cape Town Metropolitan Municipality; and/or

5.2.5. Whether the traffic on such roads and road portions does not have a material impact on traffic on the provincial road network.

5.3 The proposed decisions referred to above will not, if taken, adversely affect the primary purpose of these roads and road portions, as such roads and road portions will continue to exist and function as roads for public use under the responsibility, authority, and ownership of the City of Cape Town Metropolitan Municipality.

6. Any person or organisation wishing to comment on the proposed decisions of the Provincial Minister of Transport and Public Works referred to above is requested to lodge their comments in writing on or before 17 May 2023 by post, hand delivery or email to–

Ingrid Fredericks

Assistant Director: Proclamations and Road Use

Department of Transport and Public Works, Western Cape Government

Ingrid.Fredericks@westerncape.gov.za

7. Any person requiring assistance with recording his/her comments in writing on the proposed decisions of the Provincial Minister of Transport and Public Works referred to above may make an appointment using the email address Ingrid.Fredericks@westerncape.gov.za. for assistance with transcribing such comments with the Assistant Director: Proclamations and Road Use (Ingrid Fredericks) at the Department of Transport and Public Works at 9 Dorp Street, Cape Town, 8001 between 08:00 and 14:00 on business days between 30 March 2023 and 17 May 2023.

8. Any person or organisation wishing to comment on the proposed decisions of the Cape Town Metropolitan Council referred to above is requested to lodge their comments in writing on or before 17 May 2023, by post, hand delivery or email to–

Kayla Louisa Smith

Clerk

Roads Infrastructure Management, City of Cape Town

14th Floor, 2 Bay, Civic Centre, Cape Town

Email: KaylaLouise.Smith@capetown.gov.za

9. The following must be indicated by the person or organisation submitting comments:
- Name;
 - Telephone number;
 - E-mail address and/or fax number; and
 - Postal address and
 - (The title: “COMMENTS ON PROPOSED WITHDRAWAL OF ROAD CLASSIFICATIONS AND PUBLIC ROAD PROCLAMATIONS- CITY OF CAPE TOWN”)
10. Any person requiring assistance with recording his/her comments in writing on the proposed decisions of the Cape Town Metropolitan Council referred to above may make an appointment using the email address KaylaLouise.Smith@capetown.gov.za between 08:00 and 14:00 on business days between 30 March 2023 and 17 May 2023.
11. Comments received after the closing date and time referred to above may be disregarded.