



Wes-Kaapse Provinsiale Parlement
Western Cape Provincial Parliament
IPalamente yePhondo leNtshona Koloni

Ref: 11/4/7

MINUTES OF PROCEEDINGS

STANDING COMMITTEE ON TRANSPORT AND PUBLIC WORKS

Tuesday, 14 February 2023 (at 09:00), Hybrid – Chamber, 6th floor, 7 Wale Street, Cape Town

PRESENT

Members

Democratic Alliance

Mackenzie, R (Chairperson)
Sileku, I
Van der Westhuizen, AP

African National Congress

Mvimbi, LM

Apology

August, S

The following persons were in attendance:

Department of Transport and Public Works

Ms J Gooch, Head of Department
Mr C October, Chief Director: Road Planning
Mr S Carstens, Chief Engineer Road Use

Department of the Premier

Ms A Torr, State Law Adviser

Transjuris Consulting

Mr A Abrahamson
Mr S Fanner

Western Cape Provincial Parliament

Adv R Maasdorp, Legal Adviser
Mr J Coetzee, Procedural Officer

Mr J Vermeulen, Senior Procedural Officer
Mr C Morris, ICT Support
Ms N Mshumpela, Committee Assistant

1. Opening and welcome

The Chairperson opened the meeting and welcomed the members of the Committee, and the officials.

2. Consideration of the Western Cape Provincial Transport Infrastructure Bill [B 5–2021]

The Committee proceeded with the consideration of the Bill and allowed Mr van der Westhuizen to present the following proposed amendments:

2.1 In Clause 32 on page 26, line 40, to omit clause 32 (3) and substitute with:

“Clause 32. (3) Subsections (1) and (2) do not apply to the display of an advertisement—

(a) that was lawfully displayed immediately before the commencement of this Act or before the transport infrastructure concerned was declared under section 22 or the road was declared a road of joint significance under section 6(1), for as long as it is displayed continuously at the same place;

(b) display, outside a public road such an advertisement which merely indicates the name or number of the farm or that a particular road or path is a private or farm road or a path or is intended for a particular class of traffic or leads to a particular place or that a particular act is prohibited or permitted;

(c) display, on or at a gate, such an advertisement which conveys merely the name or number of a property or locality to which the gate gives access, or a warning, or a request or direction to close the gate, or

(d) that must be displayed in terms of a law and is displayed strictly in terms of that law.”

2.2 In Clause 32 on page 26, in line 52, to omit sub clause 32 (5) (b) and substitute with :

“*(b)* criteria, in addition to road safety, economic impact, and heritage considerations, to be considered in assessing a display referred to in subsection (1)”

The Chairperson adjourned the meeting to afford the officials an opportunity to consider Mr van der Westhuizen’s proposals.

The Committee reconvened at 10:10.

Upon reconvening the Department reported that the proposals to Clause 32 (3) would be accommodated in the Regulations and proposed the following wording to Clause 32 (5) *(b)*:

(b) the criteria to be used to assess the impact of a display referred to in subsection (1) which, in addition to the impact on provincial road traffic and provincial transport operations, may include economic impact and heritage considerations.

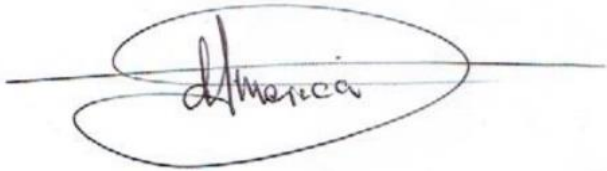
Mr van der Westhuizen highlighted his concerns that the Committee would not have an opportunity to review the Regulations and proposed that before the Minister promulgates the

Regulations the Minister must submit a copy of the Regulations to the responsible standing committee of the Provincial Parliament for that committee's comments thereon.

Ms Gooch informed the Committee that the necessary amendment would be made in the Bill to accommodate Mr van der Westhuizen's proposal.

The Chairperson expressed his appreciation to the members and officials for their contribution to the success of the meeting.

The meeting adjourned at 10:15.

A handwritten signature in black ink, appearing to read "R Mackenzie", is written over a horizontal line. The signature is enclosed within a large, hand-drawn oval shape.

pp MR R MACKENZIE, MPP

CHAIRPERSON: STANDING COMMITTEE ON TRANSPORT AND PUBLIC WORKS