

No. R. 1093

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**NATIONAL LAND TRANSPORT TRANSITION ACT, 2000 (ACT NO. 22 OF 2000)****PUBLIC TRANSPORT PLAN: MINIMUM REQUIREMENTS IN TERMS OF THE NATIONAL LAND TRANSPORT TRANSITION ACT, 2000.**

In terms of section 26(3) of the National Land Transport Transition Act, 2000 (Act No. 22 of 2000), I, Jeff Radebe, Acting Minister of Transport, in consultation with the relevant MECs, have made the requirements contained in the Schedule.

**Jeff Radebe, MP**  
**ACTING MINISTER OF TRANSPORT**

**SCHEDULE****MINIMUM REQUIREMENTS FOR PREPARATION OF PUBLIC TRANSPORT PLANS****Arrangement of Requirements**

1. Definitions
2. Purpose of requirements
3. Principles for preparing public transport plans
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## 1. Definitions

In these requirements, unless the context indicates otherwise, any word or expression to which a meaning has been assigned in the Act has that meaning, and—

"Act" means the National Land Transport Transition Act, 2000 (Act No. 22 of 2000) as amended by the National Land Transport Transition Amendment Act, 2001 (Act No. 31 of 2001);

"facilities" means ranks, terminals, stations, holding areas, informal taxi ranks and holding areas and major boarding points in rural areas, for road and rail based public transport;

"CPTR" means a current public transport record;

"OLS" means an operating licence strategy;

"RATPLAN" means a rationalisation plan;

"PLTF" means a provincial land transport framework;

"PTP" means a public transport plan;

"route" means the roads or railway lines that are traversed by a vehicle or train from point of origin to point of final destination or, in the case of road-based transport, where no roads are clearly demarcated, the route followed by the particular vehicle as described with reference to landmarks or beacons;

"services" means public transport services;

## Purpose of Requirements

2. (1) The PTP prepared by municipalities must comply with the requirements set out in these requirements.
- (2) In interpreting these requirements municipalities should refer to the PTP guideline, which is available from the National Department of Transport.
- (3) Where there is a conflict between these requirements and the guideline, these requirements prevail.

## District and Local Municipalities

3. (1) Each district municipality required by the MEC to prepare a PTP, must prepare a PTP for its entire area, but this will not prevent an agreement that the relevant local municipalities will assist with such preparation, provided that the agreement is permissible in terms of applicable local government legislation.
- (2) PTPs must not be prepared at both district and local level as this will lead to duplication. Thus only one PTP is required for any particular geographical area.
- (3) Where the PTP for part of the area of a district municipality is prepared by a local municipality in terms of an agreement contemplated in 5.1, it is still the responsibility of the district municipality to ensure that the entire area is covered and to submit the total PTP to the MEC in terms of section 23(5) of the Act, and to the Minister in terms of section 28 of the Act.

## Principles for preparing public transport plans

4. (1) In addition to the principles stated in the Act, the following principles apply to the preparation of PTPS —
  - (a) plans must pay due attention to the development of rural areas; and
  - (b) transport for special categories of passengers must receive specific attention.
- (2) The development of the PTP should have both a short-term focus relating to subsidised interim contracts and current tendered contracts expiring in the near future, and a long-term focus relating to the overall restructuring of the subsidised public transport system as a whole, including rail.

- (3) The development of the PTP must take cognisance of the fact that rail is currently a national competency until devolved in terms of section 28 of the Act, and that in terms of section 10(13)(f) of the Act, subsidised bus services are a provincial competency until Transport Authorities are formed.
- (4) The PTP must be synchronised with other planning initiatives and it must indicate how it is integrated into municipal integrated development plan, the land development objective processes and the municipal budgeting process.
- (5) The preparation of the PTP must include the consultation and participation of interested and affected parties required for the preparation of Integrated Development Plans in terms of chapter 4 and section 29(1)(b) of the Local Government: Municipal Systems Act, 2000 (Act No. 32 of 2000).

#### **Date for submission of plan**

5. Every planning authority must ensure that its PTP is updated at least once every year by a date determined by the MEC by notice in the *Provincial Gazette*.

#### **Process for preparation and approval by MEC**

6.
  - (1) After the date of publication of these requirements, but not later than the date mentioned in regulation 5(1), every transport authority and core city, and every municipality required to do so by the MEC, must complete its PTP, consisting of at least the matters set out in section 7.
  - (2) On completion of the PTP, the planning authority which prepared it must submit it to the MEC in terms of section 26(4) of the Act and, if it has rail commuter components, also to the Minister under section 28 thereof.
  - (3) If the Minister is of the opinion that the PTP does not deal

adequately with the situation relating to commuter rail, or that it has not been prepared correctly or completely according to the Act or these Requirements, he or she may request the planning authority to adjust the plan, and the planning authority must comply with such a request forthwith.

### **Minimum contents of public transport plans**

7. The PTP must contain at least the minimum information as set out below.

#### **Chapter 1: Introduction**

This chapter must contain a clear description of the area and nature of services under consideration as well as the authority responsible for the preparation of the PTP. The period and dates for the particular PTP must also be indicated as well as whether the PTP is substantially developed from the OLS and/or RATPLAN or whether it has been developed from scratch.

#### **Chapter 2: Public transport vision, goals and objectives**

The planning authority's vision, mission, goals and objectives must be described and analysed in relation to the White Paper on National Transport Policy, Provincial Policy and the PLTF, particularly relating to the packaging of subsidised service contracts, rail contracts and contract terms, labour agreements, subsidy policy, levels of service, land use development, modal integration and special categories of passengers.

#### **Chapter 3: Public transport status quo**

The public transport status quo must be described based upon the CPTR and the analyses of operating licences and subsidised public transport undertaken as part of the OLS and RATPLAN. Public transport infrastructure must also be included.

**Chapter 4: Land use and public transport integration**

The existing and future land use frameworks must be considered in relation to the public transport status quo, and a holistic needs assessment must be carried out to develop prioritised public transport proposals.

**Chapter 5: Public transport proposals**

If a separate OLS or RATPLAN has not been prepared, the PTP must at least include as a minimum, the requirements prescribed for those plans.

Operational proposals developed as part of the OLS and RATPLAN, (or from scratch if these have not been undertaken separately), suitably refined in terms of the above needs analysis, must be detailed. Associated public transport facilities must also be included, as well as modal integration and fare system proposals.

Proposals with respect to inter-planning authority and interprovincial commuting and long-distance services and facilities must be included.

**Chapter 6: Stakeholder consultation**

The extent of, and the results of participation with the operating licencing board, adjacent planning authorities, operators, commuters and the general public must be described.

**Chapter 7: Prioritised public transport proposals and implementation programme**

The prioritised public transport proposals and implementation

programme resulting from the above analyses and consultation must be documented.

### **Chapter 8: Financial implications**

The financial implications of the prioritised public transport proposals and implementation programme referred to in chapter 7 must be documented, particularly with respect to subsidies, but also including a detailed budget and funding sources.

#### **Other requirements**

8. The PTP should, as a minimum, take into account matters referred to in Section 26(2) of the Act, namely:
- (a) the planning authority's vision, goals and objectives for public transport in its area;
  - (b) the planning authority's strategies for –
    - (i) the needs of learners and persons with disabilities;
    - (ii) modal integration and fare systems for public transport, the latter comprising fare structure, level and technology;
  - (c) an operational component, including –
    - (i) the provisions of the rationalization plan for contracted services and concessions; and
    - (ii) the operating licences strategy for all public transport services not covered under subparagraph (i); as well as the following considerations:
      - the minimisation of subsidy,
      - the optimum allocation of subsidy based upon user needs, and
      - the avoidance of land use distortions and longer travel distances.