

ITEM A341
POLICY : TEMPORARY
CLOSURE OF ROADS (DP/PROP/89)

3/5/13

RESOLVED (ON 18.02.2003)

1. That proof be submitted to Council that at least two thirds of the **registered owners of the property in the restricted area** approve of the application in respect of the restriction of access;
2. that the applicants provide details on how the public participation was conducted;
3. that the applicants commit themselves to the formation of a Residence Committee or the registration of a Section 21 company upon approval of the application;
4. that the Council not be responsible for any costs for establishing, running or maintaining the closure of the road or for the removal of the barrier should the closure lapse;
5. that the restriction be approved for a two year period and the Council consider extending the duration if the applicant initiates the procedures for the extension one month prior to the expiry of the initial approval;
- 5.1 that the agreement be effective from date of the Council resolution;
6. that if any gates or booms are erected it be for costs of the applicants and if the application is not renewed the gate or boom be removed at their own expense and that a deposit for this purpose be paid by the applicant which fee will be determined and revised from time to time, should Council need to remove the restriction;
7. that the type of restriction be approved by Engineering Services and Public Safety and Community Development;
8. that a further condition be that an agreement be entered into which stipulates all necessary conditions fixed by Council; every application will be unique and therefore conditions may vary;
9. that Council reserve the right to withdraw the temporary closure permission at any time should any of the conditions not be complied with satisfactorily;
10. that the applicants pay a deposit of R2 500 in advance, of which R2 000 is payable after the Council has taken a resolution and before the commencement with the advertisements and R500 is payable when the application is submitted;
11. that an amount of R500 in respect of a deposit be non-refundable;
12. that the amount of R2 000 for advertisements not be refunded in cases where objections are received and the restriction not be approved due to the objections received;
13. that the Council advertise its intention of restriction for a period of one month;
14. that the restriction be imposed within four months of date of **approval by Council** failing which the procedure must be repeated;

15. that should any objections or petitions be received on the application, a hearing be held with the applicants and objection(s) before the final decision on the application is taken;
16. **that the application for the road closure will be forwarded to the Public Safety Committee and disputes arising out of the application will be forwarded to the Land Tribunal Committee for a Hearing;**
17. that it be noted that, in terms of Section 44(1), the Council may impose a restriction on access under the same conditions as when the public applies;
18. that it be noted that, a municipal council may dispense of the procedures specified in Sub-section (1) in respect of any restriction which in the public interest, requires to be imposed without delay, but must implement this procedure within one month of the restriction coming into operation, failing which the restriction will no longer be valid;
19. that it be noted that a municipal council may determine a fee for obtaining a copy of any document or written report relevant to determining the draft terms of restriction;
20. that the fee be determined at R30;
21. that comments received **in the prescribed period** and contents of all consultations be considered before imposing the restrictions;
22. that the period for comments on the draft terms not be less than one month;
23. that Council consider extending the duration if the applicant initiates the procedures for the extension one month prior to the expiry of the initial approval;
24. that 24-hour access must be available to water maintenance personnel; in order to do emergency repairs as well as essential maintenance work to the existing water network;
25. that a route management plan for emergency services needs also to be compiled to maintain the effectiveness of emergency services;
26. that a traffic impact study be conducted and submitted to the Strategic Manager: Engineering Services or the Strategic Manager : Public Safety and Community Development as or when requested;
- 26.1 all conditions pertaining to the provision and erection of Rand Traffic signs to be fulfilled;

detail design in terms of the proposed closure to be submitted to the Strategic Manager Engineering Services for approval;
27. **that Council will have the right to decide that certain arterial or major roads may not be closed or restricted;**
28. that no major disruption of traffic patterns and movements should be caused by the restriction of access nor will unduly long travel distance be caused to the residents of the area or the general public as a result of the restriction of access;

29. that a street may not be physically closed before the applicant has received written permission from the Council and has complied with all conditions of approval where a road is closed and if longer than 60 metres, a turning circle can be required;
30. that the approval of restriction of access to cul-de-sac streets in terms of the above policy be delegated to the Strategic Manager : **Public Safety and Community Development**;
31. that all other applications of restriction of access be handled on merit and that each application be submitted to the Mayoral Committee for consideration in accordance with the approved policy and legislation and
32. that in the event of the road closure, the closure be manned for 24 hours **per day and 7 days a week**.