

Court hears Sanral didn't inform public adequately

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The South African National Roads Agency Limited (Sanral) failed to publish a notice of intent to toll certain sections of the Gauteng freeway network in a manner that was designed to bring to the attention of hundreds of thousands of road users in Gauteng, the North Gauteng High Court heard on Monday (26 November).



The Opposition to Urban Tolling Alliance (Outa) and three other organisations are asking the court to review and set aside the decision by Sanral to declare certain sections of the Gauteng freeway network as toll roads and the approvals by the minister of transport of the toll declarations.

Outa, the South African Vehicle Renting and Leasing Association, the Quadpara Association of SA and the South African National Consumer Union, stated that Sanral wanted the public to pay R71bn of the costs of the improvements on the road system based on an unlawful administrative action by Sanral.

The Gauteng Freeway Improvement Project involved improvements to the major arterial freeway network in Gauteng. In order to recover the costs, Sanral intends to require road users to pay e-tolls.

Counsel for Outa, Mike Maritz SC, argued that Sanral did not comply with the South African National Roads Agency Limited and National Roads Act.

The Act requires Sanral to ensure all affected parties are given a chance to comment before a decision to make a road a toll road is taken.

Maritz said in the notice of intention to toll for the various sections of the N1 and the R21, Sanral only published a notice of intent to toll in the government gazette and in five newspapers.

He said the notices were sterile notices that did not raise any public concerns and Sanral received extremely limited responses.

Maritz said this was a strategy by Sanral to keep the public in the dark about its intent to toll a number of freeways in Gauteng.

Maritz also said the Act required Sanral to get comment from the premier in whose province the road proposed as a toll road is situated. This did not happen.

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