

Agbiz submits comments on SANRAL Draft Policy on Rest and Service Facilities

Agbiz has submitted detailed comments on the proposed SANRAL Policy for Rest and Service Facilities (RSFs). This draft policy, released in 2026, introduces significant changes that could reshape the way roadside facilities operate—particularly in rural areas where agriculture depends heavily on logistics, fuel supply, and corridor-based services.

Context

Agbiz members often operate roadside facilities that combine fuel, retail, and agricultural support services such as grain silos, fertiliser depots, and logistics hubs. The draft policy proposes levies based on turnover, size restrictions, and spacing rules that could place disproportionate burdens on these mixed-use agricultural sites. As Agbiz notes, “the mere concept of a grain silo... being levied a percentage of turnover is unfathomable,” since such facilities derive little income from roadside access.

Administrative Overreach

The policy empowers SANRAL to regulate the location, type, scale, and spacing of roadside facilities—even extending its reach to developments within 500 metres of intersections. Agbiz warns that this intrudes into provincial and municipal planning functions, undermining cooperative governance and creating unnecessary compliance burdens for rural businesses.

Levy framework concerns

Levies of up to 7–10% of turnover are proposed, depending on facility type. For agriculture, where margins are thin and supply chains are fuel-intensive, such levies could make rural

facilities commercially unviable. Smaller operators and co-operatives would be hardest hit, tilting competition in favour of larger, well-capitalised groups.

Constitutional and legal issues

Agbiz highlights that SANRAL's discretion must comply with the Constitution, the SANRAL Act, and the Promotion of Administrative Justice Act. The *Kasselman v SANRAL* judgment confirmed that levy-heavy frameworks are reviewable exercises of public power. Agbiz cautions that the draft policy risks infringing property rights and failing administrative justice standards.

Levies

While acknowledging SANRAL's funding pressures, Agbiz argues that levying rural businesses is not the solution. Instead, government should ensure that funding follows when provincial roads are transferred to SANRAL. Otherwise, roadside businesses face "double taxation" through both ordinary taxes and levies.

Impact on Rural Business

The draft policy appears to favour developments on SANRAL-owned land, potentially disadvantaging private farms and rural operators. Restrictions on facility size, spacing, and direct diesel access could undermine investment confidence and reduce the viability of agricultural corridor businesses.

Economic Viability

Roadside facilities are integral to agricultural logistics, supporting livestock transport, grain movement, and export haulage. Agbiz warns that the policy's combined burdens—levies, compliance costs, and discretionary approvals—could erode rural competitiveness and increase transport costs across the sector.

Specific Concerns

Agbiz, in its submission has flagged several clauses that pose risks, including:

- Clause 7.11: requiring costly infrastructure modifications at the operator's expense.

- Clause 8.1.2: mandating lighting, surveillance, and safety barriers, raising capital costs.
- Clause 8.2.1: traffic impact assessments with significant cost and delays.
- Clause 8.5.3: penalties for non-compliance, creating regulatory risk.
- Clause 11.2.2: potential closure of road access for non-compliance.
- Clause 12.1.6: annual audited financial statements, adding administrative burdens.

Conclusion

Agbiz urges SANRAL to recalibrate the RSF Policy to:

- Align with its statutory mandate.
- Ensure levies are fair, transparent, and constitutionally compliant.
- Respect the property rights of landowners.
- Safeguard rural businesses from disproportionate burdens.
- Advance transformation and sustainability through genuine local empowerment, not expanded state control.

Annelize Crosby

Legal Intelligence Manager

Agbiz