

Central Sydney Traffic and Transport Committee (CSTTC)

GENERAL PROCEDURE

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Adopted by CSTTC 14 November 2012

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General Procedure

INTRODUCTION

OBJECTIVES

This General Procedure has the following objectives:

1. to ensure all meetings of the CSTTC are conducted in an orderly, consistent and efficient manner in accordance with the principles of procedural fairness and due process; and
2. to ensure that all members fully understand their rights and obligations as participants in meetings of the CSTTC.

INTERPRETATION

This General Procedure may be cited as the CSTTC General Procedure.

1. Meetings of the CSTTC

- 1.1 The CSTTC will hold at least 4 meetings in each calendar year.
- 1.2 Meetings of the CSTTC, other than meetings referred to in 1.4 or 1.5 below, are to be open to the public.
- 1.3 The CSTTC is to give reasonable notice of meetings which are required to be open to the public.
- 1.4 If CSTTC is satisfied that it is not in the public interest for a meeting to be open to the public because of the confidential nature of any matter or topic to be included on the agenda for the meeting or for any other reason, it will direct as follows:
 - a) that the part of the meeting that relates to that matter or topic be closed to the public,
 - b) that only certain persons may be present during that part of the meeting.
- 1.5 The CSTTC may, if it thinks fit, transact any of its business at a meeting at which members (or some members) participate by telephone, closed-circuit television or other means, but only if any member who speaks on a matter before the meeting can be heard by the other members. Such meetings are not required to be open to the public.
- 1.6 For the purposes of a meeting held in accordance with 1.5 above, the Chairperson and each member have the same voting rights as they have at an ordinary meeting of the CSTTC.

2. Notice of meetings

- 2.1 For the purposes of 1.3 above, notice of meetings will be given by posting the meeting date, time, location and Agenda on a CSTTC page on the Transport for NSW website.
- 2.2 That the CSTTC business papers will be made publically available on a CSTTC page on the Transport for NSW website as nearly as possible to the time they are available to CSTTC Members.
- 2.3 The City Council website will link to the Transport for NSW CSTTC webpage.

3. Transaction of business outside meetings

- 3.1 The CSTTC may, if it thinks fit, transact any of its business by the circulation of papers (by facsimile or other means) among all the members of the CSTTC.
- 3.2 A resolution in writing approved in writing by a majority of those members will be taken to be a decision of the CSTTC.
- 3.3 For the purposes of the approval of a resolution under 3.2 above, the Chairperson and each member have the same voting rights as they have at an ordinary meeting of the CSTTC.

3.4 A resolution approved under 3.2 is to be recorded in the minutes of the meetings of the CSTTC.

3.5 Papers may be circulated among the members for the purposes of 3.1 above by facsimile or other transmission of the information in the papers concerned.

4. Quorum

The quorum for a meeting of the CSTTC is 4 of its members.

5. Voting

A decision supported by a majority of the votes cast at a meeting of the CSTTC at which a quorum is present is the decision of the CSTTC.

6. Voting entitlements of members

6.1 Each member is entitled to one vote.

6.2 The CSTTC Chairperson shall not have a second or casting vote.

7. Presiding member

7.1 The Chairperson presides at meetings of the CSTTC.

7.2 If the Chairperson is absent, a member elected to chair the meeting by a majority of the members present presides at a meeting of the CSTTC.

7.3 If the vote for a presiding member is tied, the presiding member shall be drawn by lot.

7.4 The election of a presiding member will be conducted by the CSTTC secretariat.

8. Alternate members

8.1 The Director-General of the Department of Transport may, from time to time, appoint a member of staff of Transport for NSW to be his or her alternate as a member.

8.2 A nominee of the City Council may, from time to time, with the approval of the City Council, appoint a person to be his or her alternate as a member.

8.3 On making of such an alternate appointment, the CSTTC secretariat is to be notified by Council.

8.4 A person appointed to represent the State government may, from time to time, with the approval of the Minister¹, appoint a person to be his or her alternate as a member.

8.5 A request for Ministerial approval of the appointment of an alternate by a State government representative should be forwarded as soon as practicable to the CSTTC secretariat.

¹ The Minister for Roads and Ports, by agreement with the Minister for Transport, is the Minister responsible for the CSTTC

- 8.6 In the absence of a member, the member's alternate may, if available, act in the place of the member.
- 8.7 While acting in the place of a member, a person has all the functions of the member and is taken to be the member.

9. Minutes

- 9.1 The Chairperson must ensure that all decisions made by the CSTTC are recorded.
- 9.2 Minutes will be published on the Transport for NSW website in draft form within 21 days of a meeting.
- 9.3 Minutes, when confirmed at a subsequent meeting, must be signed by the person presiding at that subsequent meeting.
- 9.4 When minutes have been confirmed at a subsequent meeting, the final minutes will be posted on the Transport for NSW website with an indication that they are confirmed.

10. Disclosure of pecuniary interests

10.1 If:

- a) a member has a direct or indirect pecuniary interest in a matter being considered or about to be considered at a meeting of the CSTTC, and
- b) the interest appears to raise a conflict with the proper performance of the member's duties in relation to the consideration of the matter,

the member must, as soon as possible after the relevant facts have come to the member's knowledge, disclose the nature of the interest at a meeting of the CSTTC.

10.2 A disclosure by a member at a meeting of the CSTTC that the member:

- a) is a member, or is in the employment, of a specified company or other body, or
- b) is a partner, or is in the employment, of a specified person, or
- c) has some other specified interest relating to a specified company or other body or to a specified person,

is a sufficient disclosure of the nature of the interest in any matter relating to that company or other body or to that person which may arise after the date of the disclosure and which is required to be disclosed under 10.1 above.

- 10.3 Particulars of any disclosure made under this clause will be recorded by the CSTTC in a book kept for the purpose and that book must be open at all reasonable hours to inspection by any person.

10.4 For the purposes of recording pecuniary interest disclosures as per 10.3 above:

- a) the CSTTC will be taken to have recorded a disclosure in the book where a resolution is passed at a meeting noting the disclosure and instructing the CSTTC secretariat to so record the disclosure; and
- b) the CSTTC secretariat will cause any such disclosures to be recorded in a book maintained for the purposes of any inspection. No fee will be charged for inspection of the book.

10.5 After a member has disclosed the nature of an interest in any matter, the member must not, unless the Minister or the CSTTC otherwise determines:

- a) be present during any deliberation of the CSTTC with respect to the matter, or
- b) take part in any decision of the CSTTC with respect to the matter.

10.6 For the purposes of the making of a determination by the CSTTC under 10.5 above, a member who has a direct or indirect pecuniary interest in a matter to which the disclosure relates must not:

- a) be present during any deliberation of the CSTTC for the purpose of making the determination, or
- b) take part in the making by the CSTTC of the determination.

10.7 A contravention of these provisions does not invalidate any decision of the CSTTC.

11. Public Recording of Meetings prohibited without Committee authority

A person may not use an electronic device to record the proceedings of a meeting of the Committee unless that person has the authority of the Committee to do so.

12. Forwarding of particulars of proposed works under section 51L of the *City of Sydney Act 1988* (the Act)

12.1 The CSTTC will issue guidelines relating to the matters with respect to which particulars are required to be forwarded, pursuant to section 51L(1), to the CSTTC.

12.2 A proposal forwarded to the CSTTC without particulars to enable the CSTTC to consider the proposal may not comply with the requirements of section 51L(1).

12.3 Where the CSTTC considers that particulars are not provided to enable the CSTTC to consider a proposal, the CSTTC will seek to notify the Sydney CBD roads authority in writing of the additional material that is required to be submitted.

13. Procedure for Issuing of Orders in Writing or Directions under section 51L of the Act

13.1 If it appears to the CSTTC that proposed work may have a significant impact on a public road, road related area, traffic or transport within the Sydney CBD, the

CSTTC may direct a Sydney CBD roads authority under sub-section 51L(2) of the Act to either:

- a. Vary the carrying out of the work, or
- b. Defer the carrying out of the work for a specified period, or
- c. Not to carry out the work.

13.2 An order in writing reflecting the decision of the CSTTC will be signed by the Chair at the meeting or as soon as practicable after the meeting at which a decision is made.

13.3 This order in writing will be sent by the CSTTC secretariat to the Sydney CBD roads authority. This order may be sent in electronic form.

13.4 Where the CSTTC decides that a proposal forwarded to it by a Sydney CBD roads authority will not have a significant impact on a public road, road related area, traffic or transport within the Sydney CBD, the CSTTC secretariat will notify the Sydney CBD roads authority accordingly.

14. Forwarding of particulars of proposed schemes under section 51M of the Act

14.1 The CSTTC will issue guidelines relating to the matters with respect to which particulars are required to be forwarded, pursuant to section 51L(M), to the CSTTC.

14.1 A proposed scheme forwarded to the CSTTC without particulars to enable the CSTTC to consider the proposed scheme may not comply with the requirements of section 51M(1).

14.2 Where the CSTTC considers that particulars are not provided to enable the CSTTC to consider a proposed scheme, the CSTTC will seek to notify the Sydney CBD roads authority in writing of the additional material that is required to be submitted.

15. Procedure for Issuing of Orders in Writing or Directions under section 51M of the Act

15.1 Where it appears to the CSTTC that a proposed scheme may significantly alter the availability of on-street parking in the Sydney CBD, the CSTTC may direct the Sydney CBD parking authority under sub-section 51M(3) of the Act to either:

- a) Vary the proposal, or
- b) To defer the establishment or operation of the scheme for a specified period, or
- c) Not to carry out the proposal.

15.2 An order in writing reflecting the decision of the CSTTC will be signed by the Chair at the meeting or as soon as practicable after the meeting at which a decision is made.

15.3 This order in writing will be sent by the CSTTC secretariat to the Sydney CBD parking authority. This order may be sent in electronic form.

15.4 Where the CSTTC decides that a proposal forwarded to it by a Sydney CBD parking authority will not significantly alter the availability of on-street parking in

the Sydney CBD, the CSTTC secretariat will notify the Sydney CBD parking authority accordingly.

16. Procedure for CSTTC making representations to the Planning Committee under section 51N of the Act

16.1 Where the CSTTC resolves to make a representation to the Planning Committee under section 51N of the Act, a notice to this effect reflecting the decision of the CSTTC will be signed by the Chair at the meeting or as soon as possible after the meeting at which a decision is made.

16.2 This notice will be sent by the CSTTC secretariat to the Planning Committee. This may be sent in electronic form.

17. Process for consideration by the CSTTC

17.1 All proposals and particulars required to be forwarded to the CSTTC under sections 51L and 51M of the Act; all matters required to be the subject of consultation with the CSTTC under section 51N of the Act; and all matters or topics placed on the CSTTC Agenda by the Chair under Schedule 2 clause 9 of the Act, are to be registered on receipt by the CSTTC secretariat.

17.2 The CSTTC secretariat will refer all items described in subclause 17.1 above to a working group comprising members with appropriate expertise to consider the item(s) from amongst Transport for NSW; the City of Sydney Council; the Department of Premier and Cabinet; Roads and Maritime Services; and the Department of Planning and Infrastructure.

17.3 The working group's function is to consider proposals and provide appropriate advice to the CSTTC in relation to them.

Central Sydney Traffic and Transport Committee General Procedure – Concluded