

Secretary of the Department of Transport
Instrument of Delegation and Authorisation

Special Covid-19 traffic regulation delegation to councils

On behalf of Transport for NSW, I, Rodd Staples, Secretary of the Department of Transport,

1. Revoke the instrument of delegation and authorisation made on 29 May 2020 entitled "Secretary of the Department of Transport Instrument of Delegation and Authorisation Special COVID-19 traffic regulation delegation to councils"; and
2. Delegate under section 31 of the *Transport Administration Act 1988* and all other enabling powers, the function set out in **Schedule 1** to each council (within the meaning of the *Local Government Act 1993*) in **Schedule 2**, and authorise delegates to sub-delegate the function in **Schedule 1** to the persons in **Schedule 3**, subject to the conditions below.

This delegation commences on the date it is made and will continue in force until 30 June 2021 unless revoked prior.



Rodd Staples

Secretary

Department of Transport

Date: 25.11.20

Schedule 1

The function of Transport for NSW (TfNSW) under section 115 of the *Roads Act 1993* with respect to the regulation of traffic on a public road for the purpose of creating temporary pedestrian and cycling areas and lanes.

Schedule 2

A council constituted under the *Local Government Act 1993*.

Schedule 3

The general manager of a council, or an employee of the council.

Conditions

This delegation is made subject to the following conditions

1. A council or its sub-delegates may only exercise the function in schedule 1:

- a. on public roads within the local government area under the Local Government Act 1993 for which the council is the roads authority; and
 - b. with respect to classified roads, with the concurrence of TfNSW.
2. Before exercising the function a council must provide **public notice of the proposal for at least 7 days** as follows:
 - a. At a minimum, by publication of the proposal on the council website, **and** by **display of conspicuous notices** along the route or area of the affected road and adjacent roads, and by such other means as a council considers appropriate; and
 - b. **Written notice to local emergency services**, including police, fire and ambulance services.
3. The purpose of this delegation is to authorise temporary works only. All works carried out under this delegation, including but not limited to road works, the erection, installation or placing of traffic control facilities (within the meaning of *the Roads Act 1993* and *Transport Administration Act 1988* and prescribed traffic control devices (within the meaning of the *Road Transport Act 2013*) are to be removed and the conditions of public roads reinstated within **14 days** upon written notice being given to councils by TfNSW.