

28 March 2025

[REDACTED] [REDACTED]
[REDACTED] [REDACTED]

Susan Shaw - Strategic Policy
Ben Cebuliak – Movement and Place
roadsactfeedback@transport.nsw.gov.au
Transport for New South Wales
NSW Government

Dear Ms Shaw & Mr Cebuliak,

Re: Have Your Say Roads Act 1993

Thank you for the opportunity to provide comment on the Roads Act 1993 Review currently being undertaken by the NSW Government.

[REDACTED] is a Sydney Metropolitan LGA that utilises many different road functions as part of its broader road network. We recognise the dual role of roads and transport networks in facilitating both mobility and community connection, reflective of the Movement and Place framework.

Staff from relevant areas within [REDACTED] have reviewed the material, including 'Issues 4.1 – 4.7', and have provided responses to questions where necessary. Where a question has been left blank it signifies that no comment has been provided at this stage of the review.

Questions Section 4.1

b. How can safety be better considered in the planning, administration and management of roads?

The Safe Systems approach to road network planning has been shown to support local movement and improve liveability in built up areas inclusive of the road corridor. If incorporated into the Act, [REDACTED] recognise this would serve to prioritise local access and legislate road safety principles as a priority.

c. How can the Act better recognise the public health and environmental benefits of roads and streets?

Local streets have a role in relation to landscaping and tree canopy serving to improve air quality, reduce stormwater run-off and create more pleasant, healthier communities. Integrated planning as part of road design, including opportunities to retrofit street trees within and adjacent to the road space, are currently limited in permissibility where verge space clear zones are required.

[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
[REDACTED] [REDACTED] [REDACTED]

[REDACTED]

d. What other community issues would you like to raise in relation to the Act?

██████ recognise (local) streets have various functions, predominantly supporting urban areas, business precincts, and communities. Prioritisation of on-street parking/storage, and vehicle through-movement often detracts from a pleasant street environment and other place benefits. A statute in the act reflecting 'movement: place' priorities may enable a simplified process for Council in these cases.

Relevant ██████ Transport Strategy / Bike Plan Actions:

██████ TS 1.6 - Identify and plan for traffic and transport works consistent with principles of movement and place framework

██████ TS 4.7 - Review and align speed limits to the M:P function of a road and the surrounding land uses

Questions 4.2

a. How can The Act be improved to ensure that it considers each category of road user?

Modifications could include definitions that clarify that 'traffic' refers to multi-modal road users (i.e. provision including freight, public and active transport).

c. What other issues would you like addressed.

The 'Road User Space Allocation Policy' is a specific application that requires explicit guidance for its use at a Council level (separate to NSW Gov grants etc). The road user modal hierarchy encounters issues when determining which instances require its application.

██████ have an adopted vision in its Transport Strategy to recognise and apply the 'Road User Space Allocation Policy' to support the most appropriate transport mode for that road space and its surrounding area.

However, issues within ██████ have arisen when an active mode corridor conflicts with an urban State Road, which can mean that arterial/heavy vehicle road function dictates priority (See ██████).

PUBLIC TRANSPORT: Request to reference the Public Transport Accessibility Level - (PTAL) of the road network and town centres in the Act, as this affects the function of the road, and in-turn the maintenance of the path and the provision of shelters across the network. This reference is important to integrate into the Act and to support greater function for roads as a public transport conduit.

FREIGHT: Support the clear reference in the Act to freight and its function on the road network. It is noted that while regulation of freight is deemed as not required in the Act, the State Road network serves a freight corridor function and as a mode requires distinct needs, funding and safety requirements. Whilst the 2024 Heavy Vehicle Access Policy is referenced, additional consideration to freight in the Act is sought particularly as the ██████ is directly adjacent to Port Botany and has numerous freight and logistics precincts and access to these centres often conflicts with regulation of the other transport modes dominant in ██████ (and other Sydney Metro LGAs).

Relevant [REDACTED] Transport Strategy/Bike Plan Actions:

[REDACTED] TS 1.3 – Engage the NSW Gov to develop a 'Place' strategy for the revitalisation of Princes Highway and the Grand Parade after the M6 Opens

[REDACTED] TS 1.6 - Identify and plan for traffic and transport works consistent with principles of movement and place framework

[REDACTED] TS 4.7 - Review and align speed limits to the M:P function of a road and the surrounding land uses

Questions 4.3

*a. What issues have you experienced due to overlapping **classification systems** to determine roles and responsibilities for NSW roads? (select all that apply)*

- *Confusion between legal, functional and administrative systems*

Examples exist at Mascot (Coward Street), Brighton Le Sands (General Holmes Drive), Rockdale (Princes Highway). [REDACTED] supports the development of a streamlined data driven evaluation of roads to a clear criteria, recognising the example of the contradicting road authority of Gardeners Road in the case study in Issues paper 4.3.

- *Other (please specify)*

There exists a conflicting functionality if both Movement *and* Place are deemed to be priorities on a State classified road as exists at Brighton Le Sands on General Holmes Drive or Coward Street in Mascot.

b. How could the system of road classification in the Act be improved?

Overlapping and often unclear functionality and responsibility for classifications. Opportunity exists to provide defined reference to the road classification within the Act

Maintenance of State Classified Roads are often irregularly managed, with road surfaces and community interfaces (ramps, pedestrian legs, tree canopy) often of a low standard on main arterials. Quick turnaround of maintenance, additional funding and oversight of contractors will all work to ensure upkeep of State Roads in urban areas recognise and are supportive of safe system and Movement and Place principles.

Relevant [REDACTED] Transport Strategy/Bike Plan Actions:

[REDACTED] TS 1.3 – Engage the NSW Gov to develop a 'Place' strategy for the revitalisation of Princes Highway and the Grand Parade after the M6 Opens

[REDACTED] TS 1.6 - Identify and plan for traffic and transport works consistent with principles of movement and place framework

Questions 4.4

b. Can you provide further information on the issues you have experienced?

The Roads Act is not considered to be streamlined, and therefore faces complexities and inefficiencies with regards to planning and jurisdictions of operations. There are opportunities to recognise existing strategic framework for road network planning that aligns with broader land use and transport planning objectives (i.e TfNSW inter-agency collaboration, oversight and strategic prioritisation).

Questions 4.5

a. How could the Act make roles and responsibilities clearer for decision making?

- *Less focus on individual regulatory signs and lines on local neighbourhood streets with low traffic volume*

There still needs to be oversight and minimal standards awarded in Local Council Traffic Committee.

b. Describe your experience of using the Delegation to Councils and any improvements which could be made.

The experience within [REDACTED] is that the Act is weighted toward Transport for NSW. Council, as a result must comply with a layered framework of red tape, continued delays and reporting to TfNSW. In some cases, approval of projects and TMP's can take 18–24 months to be finalised, which is unsustainable and unacceptable.

This lack of action often reflects poorly on Council's reputation. However, on the alternative side, TfNSW is able to utilise its right to make changes, not just on their roads but any roads under the Act, bypassing any regard for Council process or the impact it has on the Local Road Network. This has been demonstrated multiple times during the M6 construction process.

If Council is to be responsible for Local Roads, the Act should be amended to allow Council's to have more control over their assets without the red tape created by the current process.

c. Describe your experience of using the Temporary Delegation to Councils and if this approach is more streamlined to regulate traffic and deliver local street and place improvements.

The temporary delegations in [REDACTED] have been largely ineffective and have not changed local government process. Local Ministers, TfNSW officers and Councillors still expect to be consulted on, and engaged in, a Committee prior to a recommendation being made to Council. As delegated approval is still required to be carried out by Council, the most effective way to do this is via the traffic committee process.

Questions 4.7

a. What regulatory features should be tested to ensure the Act can accommodate emerging technologies and new approaches?

- *Ability to change the primary intended function or use of a street at different times of day or days of the year*

An example to consider in [REDACTED] is a Council authorised event or future transport planning– i.e Bay Street, Brighton Le Sands closure.

b. Which provisions in the Act and the Environmental Planning and Assessment Act could benefit from regulatory experimentation?

- The ability to modify the primary function at different times of the day (or day of year) specific to an event or use.
- The provision/reference to movement: place to support technological advances in mobility
- Area wide speed zone reduction on local streets

c. How could these Acts better support new developments in sustainability?

It's important that the transport regulatory framework can be flexible and responsive to new or emerging technologies such as changing street function to accommodate active modes, electric vehicles, automated vehicles or e-mobility.

Relevant [REDACTED] Transport Strategy/Bike Plan Action:

[REDACTED] TS 4.7 - Review and align speed limits to the M:LP function of a road and the surrounding land uses

E-MOBILITY PARLIAMENTARY INQUIRY (2024)

Of relevance to the review of the Roads Act is the recent (2024) NSW Parliamentary E-Mobility inquiry and the recommended set of amendments directed to the Roads Act.

[REDACTED] recognise a key theme of the recommendations was for the NSW Government reduce on-road speed limits in appropriate Local Government Areas, in line with the update of the 'Road User Space Allocation Policy'. [REDACTED] contributed to the inquiry and look forward to further working with the NSW Government to create an environment where emerging technology such as shared mobility and e-scooters are well managed and utilised by the community safely, providing benefits to both movement and place.

Concluding this submission to the Review of the Roads Act 1993, [REDACTED] support several key themes which we trust will be considered as part of the review. Notably:

1. *More contemporary uses for roads and streets that are safe and responsive to community needs.*
2. *Faster local decision making with appropriate mitigations to manage network risk.*
3. *A streamlined and easy to use statute that keeps pace with change.*
4. *A more operationally effective statute.*

[REDACTED] acknowledges this is just the first step in the review of the Act and look forward to contributing to further refinement with recommendations to as part of the final set of amendments expected in 2026.

If you require any further information, please do not hesitate to contact me on [REDACTED] or the Council Officer above.

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