



W A V E R L E Y
C O U N C I L

FINANCE, OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING

A meeting of the FINANCE, OPERATIONS AND COMMUNITY SERVICES COMMITTEE will be held at the
Boot Factory, Spring Street, Bondi Junction at:

7.00 PM, TUESDAY 4 NOVEMBER 2025

A handwritten signature in black ink, appearing to read 'Emily Scott'.

Emily Scott
General Manager

Waverley Council
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Bondi Junction NSW 1355
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Tel: 9083 8000
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Delegations of the Finance, Operations and Community Services Committee

On 18 March 2025, Waverley Council delegated to the Finance, Operations and Community Services Committee the authority to determine any matter other than:

1. The matters in s 377(1) of the *Local Government Act 1993*, which are as follows:
 - (a) The appointment of a general manager.
 - (b) The making of a rate.
 - (c) A determination under section 549 as to the levying of a rate.
 - (d) The making of a charge.
 - (e) The fixing of a fee.
 - (f) The borrowing of money.
 - (g) The voting of money for expenditure on its works, services or operations.
 - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
 - (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
 - (j) The adoption of an operational plan under section 405.
 - (k) The adoption of a financial statement included in an annual financial report.
 - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
 - (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
 - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
 - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
 - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
 - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons.
 - (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
 - (s) The making of an application, or the giving of a notice, to the Governor or Minister.
 - (t) This power of delegation.
 - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.

Statement of Ethical Obligations

Councillors are reminded of their oath or affirmation of office made under section 233A of the Act and their obligations under Council's code of conduct to disclose and appropriately manage conflicts of interest.

Live Streaming of Meeting

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and/or voice being live streamed and publicly available.

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair will read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

1. Apologies

2. Declarations of Pecuniary and Non-Pecuniary Interests

3. Addresses by Members of the Public

4. Confirmation of Minutes

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5. Reports

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6. Urgent Business

7. Closed Session154

The following matters are proposed to be dealt with in closed session and have been distributed to Councillors separately with the agenda:

FC/7.1/25.11	CONFIDENTIAL REPORT - Procurement Exemption - Fire Services Maintenance
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8. **Resuming Open Session156**

9. **Meeting Closure**

CONFIRMATION OF MINUTES FC/4.1/25.11



Subject: Confirmation of Minutes - Finance, Operations and
Community Services Committee Meeting - 2
September 2025

TRIM No: A25/0080

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That Council confirms the minutes of the Finance, Operations and Community Services Committee meeting held on 2 September 2025 as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of committee meetings must be confirmed at a subsequent meeting of the committee, in accordance with clause 20.23 of the Code of Meeting Practice.

Attachments

1. Finance, Operations and Community Services Committee Meeting Minutes - 2 September 2025



**MINUTES OF THE FINANCE, OPERATIONS AND COMMUNITY SERVICES COMMITTEE MEETING
HELD AT THE BOOT FACTORY, SPRING STREET, BONDI JUNCTION ON
TUESDAY, 2 SEPTEMBER 2025**

Present:

Councillor Katherine Westwood (Chair)	Lawson Ward
Councillor Will Nemesh (Mayor)	Hunter Ward
Councillor Keri Spooner (Deputy Mayor)	Waverley Ward
Councillor Ludovico Fabiano	Waverley Ward
Councillor Dov Frazer	Hunter Ward
Councillor Steven Lewis	Hunter Ward
Councillor Margaret Merten	Bondi Ward
Councillor Joshua Spicer	Waverley Ward
Councillor Michelle Stephenson	Bondi Ward
Councillor Lauren Townsend	Lawson Ward
Councillor Dominic Wy Kanak	Bondi Ward

Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czinner	Director, Corporate Services
Fletcher Rayner	Director, Planning, Sustainability and Compliance
Ben Thompson	Director, Community, Culture and Customer Experience

At the commencement of proceedings at 7.00 pm, those present were as listed above, with the exception of Cr Masselos who arrived at 7.03 pm during addresses by members of the public.

Crs Masselos and Wy Kanak attended the meeting by audio-visual link.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The chair read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our local government area.

1. Apologies

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The chair called for declarations of interest and none were received.

3. Addresses by Members of the Public

- 3.1 C Pattison – FC/5.7/25.09 – Petition - Bondi Beach Surf School Licence.
- 3.2 D Dunstone (on behalf of Waves Surf School) – FC/5.7/25.09 – Petition – Bondi Beach Surf School Licence.
- 3.3 G Barton – FC/5.7/25.09 – Petition – Bondi Beach Surf School Licence.
- 3.4 L Merignac – FC/5.7/25.09 – Petition – Bondi Beach Surf School Licence.
- 3.5 J Johnston – FC/5.7/25.09 – Petition – Bondi Beach Surf School Licence.

4. Confirmation of Minutes

FC/4.1/25.09 Confirmation of Minutes - Finance, Operations and Community Services Committee Meeting - 5 August 2025 (A25/0080)

MOTION / UNANIMOUS DECISION

Mover: Cr Westwood
Seconder: Cr Spicer

That Council confirms the minutes of the Finance, Operations and Community Services Committee meeting held on 5 August 2025 as a true record of the proceedings of that meeting.

5. Reports

FC/5.1/25.09 Councillor Expenses and Facilities Policy - Adoption (SF25/1958)

MOTION / UNANIMOUS DECISION

Mover: Cr Westwood

Seconder: Cr Spicer

That Council adopts the Councillor Expenses and Facilities Policy attached to the report.

FC/5.2/25.09 Garden Awards 2025 - Judging Panel (A25/0934)

MOTION

Mover: Cr Westwood

Seconder: Cr Spicer

That Council appoints Crs Westwood, Townsend and Lewis to the judging panel for the Waverley Garden Awards 2025.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO THE MOTION.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council appoints Crs Westwood, Townsend and Merten to the judging panel for the Waverley Garden Awards 2025.

Division

For the Motion: Crs Fabiano, Frazer, Lewis, Masselos, Merten, Nemesh, Spicer, Spooner, Stephenson, Townsend and Westwood.

Against the Motion: Cr Wy Kanak.

FC/5.3/25.09 E-Micromobility Devices Ban on Train and Metro Network - Submission (A25/1851)

MOTION / UNANIMOUS DECISION

Mover: Cr Westwood

Seconder: Cr Nemesh

That Council approves the submission to the NSW Government, as set out in the report, on the proposed ban on e-micromobility devices on the NSW train and metro network, subject to the following amendments:

1. Page 40 of the agenda, second paragraph of the submission – Delete the words ‘high quality’ and ‘quality’.
2. Page 40 of the agenda, end of the submission – Add the following sentence: ‘Waverley Council also recommends that funding be considered for secure storage for e-bikes at transport hubs.’

**FC/5.4/25.09 Leichhardt Street, Waverley - Traffic Calming - Consultation Outcomes
(A20/0069)**

MOTION / UNANIMOUS DECISION

Mover: Cr Westwood
Seconder: Cr Townsend

That Council:

1. Installs a speed hump in Leichhardt Street, Waverley, immediately north of the intersection with Barclay Street, as set out in the report.
2. Authorises the Executive Manager, Infrastructure Services, to modify the design should on-site circumstances warrant changes.

FC/5.5/25.09 Bondi Beach Volleyball Nets - Multi-Purpose Use (A25/0533)

MOTION / UNANIMOUS DECISION

Mover: Cr Westwood
Seconder: Cr Townsend

That Council

1. Does not pursue the multi-purpose use of the approved net spaces at Bondi Beach beyond volleyball and foot volley.
2. Rangers increase their patrols at Bondi Beach on Saturday and Sunday mornings to ensure that the number of permitted volleyball courts is not being exceeded and that commercial entities are not operating within any of the courts.

**FC/5.6/25.09 Bondi Golf Course and Clubhouse - Lease and Licence - Exhibition
(A23/0084)**

MOTION / DECISION

Mover: Cr Stephenson
Seconder: Cr Frazer

That Council:

1. Treats the attachment to the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. In accordance with section 47A of the *Local Government Act 1993*, publicly notifies and exhibits for 28 days the proposal to grant a lease and licence of up to five years to Bondi Golf and Diggers Club Ltd for Bondi Golf Course and the clubhouse building.
3. Officers prepare a report to Council following the exhibition period.

FC/5.7/25.09 Petition - Bondi Beach Surf School Licence (A25/0283)**MOTION**

Mover: Cr Stephenson

Seconder: Cr Nemesh

That Council:

1. Notes the petition to increase the number of surf school licences being offered at Bondi Beach.
2. Continues to offer only one licence for a surf school at Bondi Beach for the reasons set out in the report.

AMENDMENT

Mover: Cr Fabiano

Seconder: Cr Lewis

That the motion be amended to read as follows:

That Council:

1. Notes the petition requesting more diversity in surf school licensing at Bondi Beach and the community's concerns regarding fairness and monopoly.
2. Reaffirms its commitment to safety and operational simplicity by proceeding with the current tender process for one surf school licence.
3. Commits to undertaking a review of alternative surf school licensing models at Bondi Beach at the conclusion of the forthcoming licence term, with the review to:
 - (a) Consider the feasibility of issuing multiple licences or shared operating models.
 - (b) Explore opportunities to increase community benefit, including subsidised programs for schools, youth and culturally diverse groups.
 - (c) Ensure that any future model balances safety, fairness, equity of access and environmental protection.

THE AMENDMENT WAS PUT AND DECLARED LOST.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Notes the petition to increase the number of surf school licences being offered at Bondi Beach.
2. Continues to offer only one licence for a surf school at Bondi Beach for the reasons set out in the report.

C Pattison, D Dunstone (on behalf of Waves Surf School), G Barton, L Merignac and J Johnston addressed the meeting.

6. Urgent Business

There was no urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 7.44 PM.

.....
SIGNED AND CONFIRMED
CHAIR
4 NOVEMBER 2025

REPORT

FC/5.1/25.11



Subject: Access and Inclusion Advisory Panel Meeting - 24 September - Minutes

TRIM No: A21/0096

Manager: Rebecca Rodwell, Acting Executive Manager, Community Programs

Director: Ben Thompson, Director, Community, Culture and Customer Experience

RECOMMENDATION:

That Council notes the minutes of the Access and Inclusion Advisory Panel meeting held on 24 September 2025 attached to the report.

1. Executive Summary

This report provides information about the Access and Inclusion Advisory Panel meeting held on 24 September 2025. The minutes of the meeting are attached to this report.

2. Introduction/Background

Council established the Access and Inclusion Advisory Panel on 16 March 2021 to provide feedback and advice to Council about disability access and inclusion. The Panel builds on the work of the former Access Advisory Committee. Its objective is to promote an inclusive community and enhance the inclusion and participation of people with disability in community life. Members provide advice from a lived experience, carer or service provider perspective.

3. Relevant Council Resolutions

Nil.

4. Discussion

This report updates Councillors on items discussed at the Access and Inclusion Advisory Panel meeting held on 24 September 2025. The minutes, once noted, will be placed on Council's website.

5. Financial Impact

The support provided to facilitate Access and Inclusion Panel meetings is covered in Council's operational budget.

6. Risks/Issues

Nil.

7. Attachments

1. Access and Inclusion Advisory Panel - 24 September 2025 - Minutes [↓](#) .

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Wednesday 24 September 2025

6.00 pm – 7.30 pm

Online Meeting



Present	
Community Members Riley Dunn, Rachel Lazarov, Sheron Eagar, Astrida Grigulis, Debbie Goddard, Jessica Tattersall, Kanae Yamamoto, Sara Chesterman, Suzanna Kertesz	Guests Mandy, Captioner Gordana Barbaric, Representative Advocate, Spinal Cord Injuries Australia
Council Officers Sharon Cassidy, Director, Assets and Operations Annette Trubenbach, Executive Manager, Community Programs Summer Cummins, Administration and Customer Service Officer, Community Programs Annabelle Hayter, Community Development Officer, Access and Inclusion – Minutes	Councillors Clr Joshua Spicer, Chair Clr Lauren Townsend, Deputy Chair Clr Ludovico Fabiano
Apologies	
Clr Will Nemesh, Mayor Clr Keri Spooner, Deputy Mayor Clr Michelle Stevenson Ben Thompson, Director, Community, Culture and Customer Experience Chris Bath, Manager, Older People and Disability Services	

Item	Summary	Action officer
1. Acknowledgement of Country	Clr Spicer gave Acknowledgement of Country.	
2. Introductions and Apologies	Outlined on page 1.	
3. Declaration of Conflict of Interests	No declarations made.	
4. Meeting minutes – 28 March 2025	The draft minutes were sent to community panel members after the last meeting. Minutes were approved at the 15 July Council meeting. Business Arising Action Register noted.	

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Wednesday 24 September 2025

6.00 pm – 7.30 pm

Online Meeting



WAVERLEY
COUNCIL

Item	Summary	Action officer
Business Arising Action Register	Walking Strategy is still in draft and Integrated Transport team are making amendments further to Councillor feedback.	
5. Beach Accessibility – Councillor motion CM/8.4/25.07 Update and discussion of volunteer program (see p3)	After the last Access and Inclusion Advisory Panel and meeting, Council endorsed a motion put by Councillors Spicer and Townsend to the 15 July Council meeting to improve access to Bondi Beach for people with physical disability. Panel members appreciated this being brought to Council. Key resolutions: 1. Reinstate beach matting on Bondi Beach for summer 2025. The panel supports the reinstatement of the beach mats. While the beach wheelchairs can be used anywhere on the beach, it is much easier to push them on the beach mats particularly over soft sand. It also means people can sit on the beach in their own wheelchair. 2. Conduct an operational safety review of rolling out the beach mats. Council's Work Health and Safety Team are completing this. 3. Establish a volunteer support program to assist wheelchair users with beach access and water safety. While the panel supports wheelchair users being able to access the beach and swim safely, there are many operational issues to consider using volunteers. Key issues discussed: • Wheelchair users with significant physical disabilities need people trained in lifting and supporting people on the beach and in the water. How would this be achieved with volunteers? People with physical disability need to feel confident that support people are adequately trained. A panel member said they	

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Wednesday 24 September 2025

6.00 pm – 7.30 pm

Online Meeting



Item	Summary	Action officer
	would prefer to use their own workers that are trained and funded under the NDIS. • If there is a need for this type of program and it can be operated safely, what community organisation could partner with Council to operate the program? Would people be matched to a volunteer? Would people need to book? • Suggestions to partner with a community organisation include Surf Life Saving Clubs, Northcott, Transitions Bondi • Suggestions for staffing/ volunteers include Bondi Lifeguards, Surf Life Saving Clubs, young strong people from local gyms, Duke of Ed school students, sporting teams. Action: Council staff to discuss the establishment of a volunteer beach access program with surf clubs at their next regular meeting and contact Northcott and Transitions Bondi. The panel supported: 1. The reinstatement of beach mats for Summer 2025. 2. Promotion of the beach mats and accessible facilities at Bondi Beach as a first step e.g.: Accessible Adult Change facility at Bondi Pavilion. 3. Investigation of possible partnerships if demand for a volunteer beach access program could be established.	Assets and Operations Community Programs
6. Report back from Working Groups • Beach and Pool Access	All the working groups are looking at practical solutions that can be implemented in the local area. Beach and Pool access • Information: More information and promotion of accessible beaches and facilities e.g.: Adult Change Facility at Bondi Pavilion, changes made to websites, and beach wheelchairs at Bondi Beach can now be booked online.	

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Wednesday 24 September 2025

6.00 pm – 7.30 pm

Online Meeting



WAVERLEY
COUNCIL

Item	Summary	Action officer
Inclusive Employment Accessible Housing	Equipment: Council is reinstating beach mats on Bondi Beach. There is no beach wheelchair owned by Council that can be taken into the water. Access to pools: There are no accessible public pools in the area. The working group would like to look at this. Inclusive Employment - There have been two meetings - keen group of panel and community members established. - The group is focusing on two areas, disability awareness training and employment project partnership opportunities. - More information will be provided as the work progresses. Accessible Housing - We have had one meeting with panel members, a community member and Spinal Cord Injury Association representatives. The group is looking at how councils can play a part in increasing the supply of accessible housing not only in new housing, but also when people make renovations to their houses. - Ideas include educating the community about the value of basic accessibility when they are making renovations, so if changes are required in the future, they are affordable; engaging with Planning team to discuss ways to increase accessible housing or develop resources to help educate and promote the value of accessible features. The focus is about ageing in place as people's needs change.	
7. Spinal Cord Injuries Australia (SCIA) Overview of SCIA and Real Estate Campaign Gordana Barbaric,	Spinal Cord Injury Australia (SCIA) works for people with spinal cord injury and other neuro – conditions. The advocacy team has been working on systemic accessible housing issues and a policy brief is available on SCIA website scia.org.au/living-with-a-disability/your-rights-advocacy/policy-briefings-submissions/	

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Wednesday 24 September 2025

6.00 pm – 7.30 pm

Online Meeting



Item	Summary	Action officer
Representative Advocate	SCIA is also part of the Building Better Homes campaign that advocates for the National Construction Code Silver Standards to be implemented in New South Wales. SCIA is running a grassroots campaign to involve people impacted by spinal cord injury and neurological conditions in a real estate campaign called Check It, Snap It and Share It. The campaign asks real estate agents to notice and document access. The campaign is in response to members telling SCIA how frustrating it is to find an accessible property to buy or rent. More information about the campaign can be found at scia.org.au/accessible-housing SCIA is interested in community members with physical disabilities living in the Waverley area, approaching real estate agents to make them aware of the campaign and ask them to document access. There is a group working on this in the Eastern Suburbs but there are no members in the Waverley area. Please contact Gordana Barbaric gbarbaric@scia.org.au if you have a physical disability and are interested in participating in the campaign.	
8. General Business Carshare space for a wheelchair accessible vehicle Coastal Reserves Plan of Management Phase 2 consultation, site visits	- Go Get has an accessible vehicle which is parked at Royal North Shore Hospital. There is only one in Sydney, and it would be good to have an accessible vehicle in Bondi Junction. This could alleviate the difficulties people with physical disability have accessing accessible taxis. Action: Refer request for an accessible car share vehicle in Bondi Junction to the Integrated Transport team to investigate and discuss with Go Get - Phase 2 of the Coastal Reserve Plan of Management consultation will be open on 11 October and panel members are encouraged to make a submission. Site visits can also be organised for interested panel	Integrated Transport team

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Wednesday 24 September 2025
6.00 pm – 7.30 pm
Online Meeting



Item	Summary	Action officer
• For information - Disability Discrimination Act Review • Installation of Tactile Ground Surface Indicators (TGSi)	members for key reserves so that members can look at proposed access improvements. Action: Organise site visits of key coastal reserves for interested access panel members • The Disability Discrimination Act is currently under review and submissions are open. • There have been TGSIs installed to improve safety and accessibility at 13 high-risk pedestrian crossings. In addition, approximately 500 missing TGSIs have been replaced in Bondi Junction, with each individually core drilled and epoxy fitted to ensure durability. Council is also finalising works on Spring Street Cycleway, with pavement warning tape due for installation next week. • The Blair and Mitchell Street intersection is not yet complete and TGSIs will be installed. Action: Clarify whether Illawong Ave and Farrelly Ave will have TGSIs installed. • Concerns raised by panel member about safety of placement of some crossings in Charing Cross, particularly during periods when there is a lot of traffic. • It was noted that in Charing Cross permanent TGSi's have been incorporated into the pavement. That is Council's new standard as outlined in Council's draft Walking Strategy and recommended by Council's Integrated Transport team. • It was noted by a panel member that the installation of TGSIs are minimum requirements, and Council has responsibilities to ensure designs are not only technically compliant, but generally safe for all pedestrians. • A request was made by a panel member to pause the flush finish installations until an inclusive design	Annabelle Hayter/ Fiona Chui, Landscape and Recreation Planner Integrated Transport Team

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Wednesday 24 September 2025

6.00 pm – 7.30 pm

Online Meeting



WAVERLEY
COUNCIL

Item	Summary	Action officer
	approach is agreed, that also meets the needs of people who are blind or vision impaired. Council is willing to consider best practice inclusive design if there is an agreed approach. Action: Refer request for best practice inclusive design approach that also meets the needs of people who are blind or vision impaired, to Integrated Transport team for discussion with Guide Dogs NSW. Include on the Agenda for the next panel meeting. - A request was made for a publicly available TGSi installation schedule on existing sites and cycleway interfaces. Action: Consider suitable location to place TGSi installation schedule and cycleway interfaces, on Council's website. - Councillor Spicer acknowledged the significant progress made on installation of TGSIs in the area.	Integrated Transport Team Infrastructure Services
Safety of accessible carparking spot on Spring St, Bondi Junction	- Concerns raised about the safety of the accessible parking space on Spring St, Bondi Junction. - Councillor Fabiano saw a wheelchair user and support person using the bike lane to get into the vehicle and was concerned about their safety. - Is there an alternative solution where people do not need to be in the bicycle lane to access their vehicle. Action: Refer to the Integrated Transport team to review accessible car parking spot on Spring St Bondi Junction, in consultation with Community Programs.	Integrated Transport team
Limitless, Sydney Fringe Festival	A panel member provided positive feedback about one of the festival events they had attended.	
9. Suggested agenda items for next meeting Bondi Junction Master Plan	Supported for next meeting. One panel member noted that feedback has been provided through another consultation meeting they had already attended.	

ACCESS AND INCLUSION ADVISORY PANEL MINUTES

Wednesday 24 September 2025

6.00 pm – 7.30 pm

Online Meeting



Item	Summary	Action officer
DIAP consultation	Supported for next meeting.	
Inclusive design approaches that are inclusive of people who are blind or sight impaired.	Supported for next meeting.	
Wheel Easy	Supported however deferred to 2026 due to large number of issues on the agenda for November meeting.	
Accessible Bondi to Bronte Walk	For discussion at a future meeting. All panel members are also encouraged to make a submission to the Coastal Reserve Plan of Management which will open on 11 October 2025.	
10. Next Meeting	5 November 2025	
11. Meeting Closed	7.40 pm	

REPORT
FC/5.2/25.11

Subject: First Nations Advisory Committee Meeting - 9 September 2025 - Minutes

TRIM No: A25/0222

Manager: Rebecca Rodwell, Acting Executive Manager, Community Programs

Director: Ben Thompson, Director, Community, Culture and Customer Experience

RECOMMENDATION:

That Council notes the minutes of the First Nations Advisory Committee meeting held on 9 September 2025 attached to the report.

1. Executive Summary

This report provides information about the minutes of the First Nations Advisory Committee meeting held on 9 September 2025 for Council's noting. The minutes are attached to the report.

2. Introduction/Background

The Committee was established to support implementation of Council's Innovate Reconciliation Action Plan (RAP). In April 2025, Council resolved to change the name of the committee from the Reconciliation Action Plan Advisory Committee to the First Nations Advisory Committee and updated its terms of reference incorporating the new name and broadened scope.

The meeting held on 9 September 2025 was the first meeting for the new two-year Committee term.

3. Relevant Council Resolutions

Nil.

4. Discussion

The Committee's objective previously was to provide cultural advice, guidance, feedback and support around implementation and monitoring of actions, projects and commitments identified in the RAP.

For this new term, the objective of the Committee is to provide cultural advice, guidance, feedback and support around Council priorities relating to Aboriginal and Torres Strait Islander people and cultures.

This was the first meeting of the new term, with seven of the 10 Committee members in attendance. The new Committee is diverse in age, gender, professional and personal experience, and cultural connection.

This first meeting provided an opportunity for the Committee to introduce themselves, hear about key achievements from the previous term, engage with a range of projects Council is involved in and to understand roles and responsibilities of the Committee.

5. Financial Impact

Nil.

6. Risks/Issues

Nil.

7. Attachments

1. First Nations Advisory Committee - 9 September 2025 - Minutes [↓](#) .



First Nations Advisory Committee

Meeting Minutes

Tuesday 9 September 2025

6pm-7:15pm

The Mill Hill Community Hall, 27 – 33 Spring St Bondi Junction

1. Welcome and Acknowledgement of Country

The meeting opened at 6:10 and the Chair acknowledged country.

Present

Councillors	
Clr Lauren Townsend	Councillor (Chair)
Clr Ludovico Fabiano	Councillor
Community Member/Organisations	
Gene Ross	Member
Dr Sarah Jane Moore	Member
Earl Weir	Member
Kevin Heath	Member
Billy Reynolds	Member
Keala Mealey-Walker	Member
Gary Ella	Member

Council officers in attendance:

- Annette Trubenbach, Executive Manager, Community Programs
- Ben Thompson, Director, Community, Culture and Customer Experience

2. Apologies

Clr WY Kanak, Clr Westwood, Clr Stephenson, Clr Nemesh, Liz Tierney, Danny Allende, Clare Woolley

3. Acceptance of previous minutes and matters arising

There were no matters arising from the previous minutes.

4. Introductions



As this was the first meeting of the new committee term, each participant introduced themselves to the group.

5. House Keeping – Terms of Reference and Code of Conduct

Council Officers outlined key points from the committee terms of reference and Council Code of Conduct which were shared to members via email.

6. Highlights from the Previous Term

- Dawn Reflection
- Trainee Positions
- Aboriginal Cultural Heritage Study
- Cultural Protocols being implemented
- NAIDOC week – Ruby Hunter Tribute and Mi-Kaisha/Riah concerts and NAIDOC in the Park event
- Connection amongst committee
- Dharawal Language in Early Education
- Reconciliation Week art project with Waverley College

7. Projects

- Heritage Study

Appointed heritage study consultant, Paul Irish and his team are in the process of undertaking 'desktop' research through various historical archives to uncover any information that can contribute to the Heritage Study. This research will be verified by local Traditional Custodians in partnership with The Gujaga Foundation as the other appointed Heritage Study consultant.

- The Whale Dreaming Artwork - Installation is due to commence in two stages (subject to change).

- Eora Park and Bidjigal Reserve Renaming

Council has requested additional information from the Gujaga Foundation in order to resubmit the proposed name changes of Eora Park and Bidjigal Reserve to the Geographical Names Board. The Gujaga Foundation are requesting letters of support from La Perouse Local Aboriginal Land Council and The Traditional Owners Corporation for the name changes.

- Reconciliation Action plan

The previous committee had recommended that Council prioritise the Aboriginal Heritage Study prior to starting work on the new Reconciliation Action Plan. The study will likely be completed in the next financial year, and it is expected that outcomes of the study will feed into the development of a new RAP. Members commented that many initiatives in the current RAP are still relevant.

The following summary of actions completed or ongoing was presented to highlight progress achieved with the current RAP document.

Relationships	Respect	Opportunities
• Established First Nations Advisory Committee • RAP's in all Early Education Centres • Organising and Attending NRW events	• Development/ implementation of an Aboriginal Protocols Document • Aboriginal Protocols training for staff	• Establishment of Aboriginal Community Development Officer • Elsa Dixon Aboriginal Employment Program



• Positive engagement with local Aboriginal community and Traditional Owners • Events and programs with community	• History of La Perouse and introduction to Dharawal language • Dharawal language in Early Education Centres • Naming of spaces in the Bondi Pavilion using Dharawal language • E-learning module for Council staff on Cultural Awareness • Aboriginal Heritage Study • Voice to Parliament campaign	• Increased procurement opportunities for Aboriginal owned businesses
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8. Bondi Junction Master Vision and Master Plan Presentation

Tim Williams (Manager, Urban Design and Heritage) and Marcel Batrac (Bridge 42) presented to the committee about the Master Vision and Master Plan Presentation, which is an extremely important project to Council. Through community consultation, the consultants hope to reach all parts of the community and embed First Nations voices in the project.

Some broad public engagement has taken place to identify a vision statement, which will be developed into a masterplan.

Feedback from the community included:

- Positive project and appreciative of briefing and inclusion in process.
- Need representation/consultation from young people.
- Acknowledging the natural ridge line. Transport team – walking tracks and walking paths.
- Peel back layers – what has always been here and keeping that in mind for design.
- Enable the place to be in the symbology from the first part of planning.
- First Nations place – using different mediums to interpret this (Sound, sculpture, gardens)
- Public art, QR codes, audio, history, representation of Cultures and known place for arts, performance, recognition but moving forward to next generation.
- Urban ways to have an Aboriginal identity. Planning of structures symbols, stories.
- Bondi Junction is an international hub and there should be representation of who we are
- Utilise learnings from the Aboriginal Heritage Study.

There will be opportunities for closer engagement with the committee in November, for those who want to be involved further.

9. Other Items

- A 'blue plaque' will be installed shortly at the Bondi Pavilion, acknowledging First Nations Resistance through the Building Bridges Concert in 1988 (NSW Environment and Heritage). A



suggestion for a tribute concert was made to acknowledge the significance of the Building Bridges Concert.

<https://www.environment.nsw.gov.au/topics/heritage/blue-plaques/building-bridges-concert>

- A suggestion was made to have more engagement with the Metropolitan Land Council as part of Waverley LGA is on Gadigal land. Western and traditional boundaries don't match up, so ensuring the appropriate people are consulted is important.
- Earl mentioned that Eastside Radio will be doing a training program for any First Nations people who are keen to learn about media and radio for podcasting.

Meetings in 2025

The last date for 2025 is:

- Monday 24 November

Meeting closed 7:30

REPORT

FC/5.3/25.11



Subject: Floodplain Management Committee Meetings - 11 March 2025 and 9 July 2025 - Minutes

TRIM No: SF25/4205

Manager: Sharon Cassidy, Director, Assets and Operations

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council notes the minutes of the Floodplain Management Committee meetings held on 11 March 2025 and 9 July 2025 attached to the report.

1. Executive Summary

This report provides information about the Floodplain Management Committee meetings held on 11 March 2025 and 9 July 2025 attached to the report.

2. Introduction/Background

On 12 September 2023, Council resolved to reinstate the Floodplain Management Committee and call for expressions of interest for up to four community representatives to be appointed to the Committee for a two-year term. The community representatives were appointed at the Finance, Operations and Community Services Committee on 5 December 2023.

In January 2024, Council engaged Kellogg Brown & Root Pty Ltd to execute the next stage of the floodplain management process: the Flood Risk Management Study and Plan for the local government area (LGA) and the 12 hotspot areas identified in the 2021 LGA-wide Flood Study.

On 29 October 2024, Council appointed Councillors to the Floodplain Management Committee until the next mayoral election on 15 September 2026.

The objective of the Committee is to oversee the implementation of the State Government's Flood Prone Land Policy in the LGA; that is:

- To reduce the impact of flooding and flood damages on individual owners and occupiers of land.
- To reduce private and public losses resulting from flooding.
- To ensure that flood liable land is recognized as a valuable resource.
- To utilize environmentally positive methods wherever possible.

3. Discussion

This report updates Councillors on items discussed at the Floodplain Management Committee meetings held on 11 March 2025 and the 9 July 2025. The minutes, once noted, will be placed on Council's website.

4. Financial Impact

The support provided to facilitate Floodplain Management Committee meetings is covered in Council's operational budget.

5. Risks/Issues

Nil.

6. Attachments

1. Floodplain Management Committee - 11 March 2025 - Minutes [↓](#)
2. Floodplain Management Committee - 9 July 2025 - Minutes [↓](#) .

Floodplain Management Committee Meeting



Minutes & Action Items

Date: Tuesday, 11 March 2025
Meeting commenced: 6:33pm
Meeting closed: 7:19pm
Venue: Hybrid / Boot Factory, Cloud Room, Level 2,
 27-33 Spring Street, Bondi Junction

Attendees		Apologies
Councillors		
Councillor	Michelle Stephenson (Chair)	
Councillor	Will Nemesh (Deputy Chair)	
Councillor	Keri Spooner	
Staff		
Sharon Cassidy	Director, Assets and Operations	Cheryl Ng, Stormwater Engineer (Alternate)
Nikolaos Zervos,	Executive Manager, Infrastructure Services	
Patrick Hay,	Senior Strategic Planner	
Amanda Tipping	Senior Project Manager (Guest)	
Michelle Corbishley	Administrative support (Minutes)	
Consultant		
Joshua Eggleton	Kellogg Brown and Root (Guest)	
Isaac Kim	Kellogg Brown and Root (Guest)	
Community Members		
Sharon Labi		Jack Kilavuz
Douglas Fletcher		
Precincts Representatives		
Peter Quartly	North Bondi Precinct	
Lynne Cossar	Bondi Precinct	
NSW Department of Planning & Environment		
Sadeq Zaman	NSW Department of Planning and Environment	
State Emergency Services		
Shelly Stingmore	Coordinator Planning, NSW State Emergency Service – Metro Zone	Nicholas Sharpe, Planning Officer NSW SES Metro Zone (Observer)
Sydney Water		
David Grasby	Senior Planner Systems & Asset Planning	

Item No:	Item	Responsible Officer
3	Declaration of Conflict of Interests Confirmed: - No Conflicts of Interest were declared for this meeting. Noted: - Sharon Labi, Community Member Representative, advised, she had sold her property and would only be at property for approx. 6 weeks until settlement. Currently it was unknown to her, if she would remain in Waverley area or not. Outcome: - It was confirmed, for this meeting, that this matter was not deemed a conflict of interest. - Lynne Cossar, Bondi Precinct representative advised she was in negotiations with Council undertaking repairs on the stormwater in the ravine behind her property. Outcome: - It was confirmed, for this meeting, that this matter was not deemed a conflict of interest.	
4	Confirmation Meeting Minutes dated 13 November 2024. The Meeting Minutes dated 13 November 2024 were confirmed, noting the following 2(two) items would be discussed in Agenda Item:6 - Insurance - Flood Definition update - FAQ - Insurance - Flood Definition	
5	Flood Risk Management Study & Plan Update Stage 1 - Completed - Project Inception - Data handover and review and data gap analysis - Initial community consultation - Model review - Model sensitivity analysis - Recommendations for updates and associated additional investigations - Initial site inspection Current Stage 2 Remaining Stage 2 tasks: - Additional ground truthing/site investigations to be carried out (planned for week commencing 17th March) - Baseline flood damages assessment - Updated flood mapping (including flood function and flood hazard) - Assessment of consequences of flooding to the community (risks to life, major roads cut, services that may have been disrupted, areas flooded, and number of houses affected). This process will identify/validate major flooding 'hotspots' and key social and environmental issues that will need to be specifically - addressed through floodplain management measures.	

Item No:	Item	Responsible Officer
6	Insurance - Flood Definition update - The NSW FRM Manual states that “floods are natural phenomena where water inundates land that is usually dry, generally due to weather systems that generate a high amount of rainfall. Flooding can be due to water flowing within, out of, or towards a waterway. - In slight contrast, for insurance purposes, a ‘flood’ is covering of normally dry land by water that has escaped or been released from the normal confines of a lake, river, creek, canal, reservoir or dam. Note: Council is currently proactively engaging with the Floodplain Management Australia industry body who are preparing a <u>Fact Sheet</u> on the matter for the community. Action: • The <u>Federal</u> Insurance Contracts Act legislation defines Flood and <u>State</u> - NSW FRM manual defines Flood. Residents’ Concerns: • Properties under the State legislation is called Flood. • Properties under the Federal legislation is in relation to insurance is <i>not</i> Flood. • Residents are told their houses are Flood Prone, consequently the premium increases. Joshua Eggleton (KBR) to raise the residents’ concerns above to Floodplain Management Australia, for their consideration to include in the Fact Sheet.	Joshua Eggleton (KBR)
8	Flood Risk Management Study and Plan - Next steps Stage 3: - Review of existing and identification and assessment of flood risk management/mitigation options –meeting with Council’s engineers planned for 20th March to explore initial mitigation options for key hotspot locations. - Review and update of Flood Planning Area and Flood Risk Precincts Mapping. - Provision of information to support emergency management activities. - Review of land use planning in the floodplain (DCP/LEP/Flood Risk Mapping). - Assessment of cumulative impact of works in the floodplain. - Targeted community consultation and Assessment, evaluation and ranking of the flood risk management options (and in some instances combinations of options) (multiple criteria assessment). - Selection of preferred flood risk management measures for inclusion in Flood Risk Management Plan. Stage 4: - Prepare Draft Floodplain Risk Management Study and Plan. - Public exhibition and final community consultation. - Address comments/submissions and prepare final floodplain risk management study and plan. Flood Risk Management Study & Plan – Program - The next milestone is Stage 2 & 3 “Updated Design Event Modelling and Assessment of Consequences of Flooding to the Community and Identification and assessment of additional flood risk management options” - the next committee meeting is likely to be in July 2025.	

Item No:	Item	Responsible Officer
	- 20 March 2025 –First mitigation options assessment meeting. This meeting will explore the previously identified and first pass of additional flood mitigation measures for the identified flooding hotspots which includes Niblick Street and Simpson Street. Additional ground truthing/site investigations to be carried out prior to this date (planned for week commencing 17thMarch). - Overall project completion December 2025	

MEETING CLOSED: 7:19pm

NEXT MEETING: 9 July 2025

Floodplain Management Committee Meeting



Minutes & Action Items

Date: Wednesday, 9 July 2025
Meeting commenced: 6:33pm
Meeting closed: 7:34pm
Venue: Hybrid / Boot Factory, Cloud Room, Level 2,
 27-33 Spring Street, Bondi Junction

Attendees		Apologies	
Councillors			
Councillor	Michelle Stephenson (Chair)		
Councillor	Will Nemesh (Deputy Chair)		
Councillor	Keri Spooner		
Staff			
Sharon Cassidy	Director, Assets and Operations	Nikolaos Zervos	Executive Manager, Infrastructure Services
Robbie Frawley	Infrastructure Programs Coordinator	Patrick Hay	Senior Strategic Planner
Cheryl Ng	Stormwater Engineer (Alternate)	Amanda Tipping	Senior Project Manager (Guest)
Michelle Corbishley &	Executive Assistant to Director, Assets Operations (Minutes)		
Consultant			
Joshua Eggleton	Kellogg Brown and Root (Guest)		
Isaac Kim	Kellogg Brown and Root (Guest)		
Community Members			
David Lesmond		Jack Kilavuz Sharon Labi (no longer on the committee) Douglas Fletcher	
Precincts Representatives			
Lynne Cossar	Bondi Precinct	Peter Quartly	North Bondi Precinct
NSW Department of Planning & Environment			
Sadeq Zaman	NSW Department of Planning and Environment		
State Emergency Services			
Shelly Stingmore	Coordinator Planning, NSW State Emergency Service – Metro Zone	Nicholas Sharpe	Planning Officer NSW SES Metro Zone (Observer)
Sydney Water		David Grasby	Senior Planner Systems & Asset Planning

Item No:	Item	Responsible Officer
1	Declaration of Conflict of Interests Confirmed: No Conflicts of Interest were declared for this meeting.	
2	Minutes Arising – Confirmation of the Minutes – 11 March 2025 The Meeting Minutes dated 13 November 2024 were confirmed.	
3	Flood Risk Management Study & Plan (FRMSP) Update - KBR Consultants presented on the following 7 Agenda Items in their presentation (attached). - Study Progress - Preliminary Options Assessment Process - Initial Review - Preliminary Floodplain Management Options Assessment - Proposed Options for Detailed Assessment - Next Steps Summary of the 6 Items in the KBR Presentation: 1) Study Progress - The model has been reviewed and updated to bring it in line with current industry best practise and incorporates updated climate change data. - A review of the existing hot spots has been undertaken. - The original 12 hot spots identified within the Waverley LGA Flood Study (BMT, 2021) have been maintained. Preliminary Mitigation Option Assessment - High level mitigation options were reviewed targeting the 12 hotspots, as these are the ‘most affected’ areas of the LGA regarding flood impacts. - Over 20 preliminary mitigation options were modelled. 2) Preliminary Options Assessment Process - Initial Stormwater Capacity Review to identify where to focus. - Preliminary Modelling of over 20 Options - Iterative review and update of Modelled Outcomes - Recommendation of preferred 5 Options for Detailed Assessment 3) Initial Review - The existing stormwater capacity within the Local Government Area (LGA) was reviewed. - The following scenarios were subsequently simulated to identify areas where stormwater infrastructure upgrades would result in the reduction of flood impacts. This provides clarity on where to focus upgrade option assessments: - Doubling all pit inlet capacities and doubling all pit inlet capacities; and - tripling all pipe sizes.	

Item No:	Item	Responsible Officer
	4) Preliminary Floodplain Management Options Assessment - Over 20 preliminary options were identified based on the areas of focus identified. - These options were refined, consolidated and iterated upon to reduce it to 10 viable options. - Following further review, and consideration the following five (5) options are recommended to proceed to detailed assessment as they are viable options, which are practically achievable and provide significant flood reduction benefits: - Gilgandra Road and Murriverie Road, North Bondi, combined stormwater augmentation. - Barracluff Park, North Bondi, combined civil works. - Glenayr Avenue, Bondi Beach, combined civil works. - Thomas Hogan Reserve and Francis Street, Bondi Beach, combined civil works. - York Road, Queens Park, combined stormwater augmentation. 5) Proposed 5 Options for Detailed Assessment - Augmentation of the existing stormwater network with additional relief outlets along Gilgandra Road and Murriverie Road. - Excavation of Barracluff Park to be used as a detention basin and construction of a raised embankment adjacent to Warners Avenue. - Proposed road profile regrading on Glenayr Avenue. Construction of a high kerb between Curlewis Street and Beach Road. Raised vehicular crossings on Curlewis Street and Beach Road. - Diversion channel from Francis Street into Thomas Hogan Reserve. Excavation of the reserve for additional detention capacity and construction of a retaining wall along the back of the properties adjacent to Francis Street. - Stormwater pipe diversion on Denison Street and construction of an additional outlet on York Road. 6) Next Steps - Targeted community consultation for feedback. - Confirmation of 5 preferred mitigation options to continue to a detailed assessment. - Simulation of the full suite of design events for the 5 preferred options. - Detailed multi-criteria assessment of 5 preferred options (including benefit cost analysis). - Development of an ultimate mitigation scheme. - Draft Flood Risk Management Study & Plan (FRMS&P) Report. - Public Exhibition. - Final FRMS&P Report.	
4	Flood Risk Management Study and Plan Next steps Community Consultation on the preliminary options in the month ahead: 10 July -14 July: Update of the <i>Have Your Say</i> page (FRMS+P) 15 July – 1 August: Promotion: Through the <i>Have Your Say</i> page, Waverley Weekly, Social media platforms, Flood Management Committee, Councillors, the flood email subscriber list and direct AusPost mail out to all residents and property owners within the 12 hotspots. 28 July – 1 August: Two (2 x) online webinars presenting this information. 4 August - 8 August: Bookable one-on-one sessions (online or in person) for suggestions, comments & feedback.	

Item No:	Item	Responsible Officer
	Followed by: • Aug/Sept 2025: Detailed Assessment of the 5 Recommended Options • October 2025: Flood Risk Management Study & Plan Draft Report Issued to Council • November 2025: Community Exhibition of the Draft Report • February 2026: FRMSP Final Report Issued (enabling further grant funding applications)	
5	Committee Discussion: Community/Precinct Question: ○ Are the mapping documents currently available for the Committee and Community to review? Council Response: ○ While the Floodplain mapping process is completed by KBR, the suite of mapping documents will be presented to Council in October 2025, and via Community Exhibition, in November 2025. Community/Precinct Question: ○ There is flooding in locations outside the hot spots areas that have been reported on, what is being done to look at the rest of the LGA? Council / KBR Consultants Response: ○ KBR advised that all areas of the LGA were part of the screening assessment in identifying the options. ○ Council will receive a pipe capacity assessment for the entire LGA. ○ Currently are focussed on identifying options to address the key / highest flood risk in the first instance. This feeds into Council's applications for grant funding via the State Government to Deliver large (expensive) stormwater infrastructure upgrades. ○ This work will also be utilised to identify what improvements can be delivered for smaller costs, which Council can deliver within its annual capital program to deliver flood benefits to the community. ○ Council is also undertaking a number of other actions in parallel to this work to reduce flood impacts across the LGA: inspecting the underground network to identify blockages and defects, rectifying these, undertaking smaller capital works etc. ○ This information can also be used for asset maintenance and other projects. Community/Precinct Question: ○ The assessment of the stormwater pipes completed over 5 years, will every stormwater pipe will be checked? ○ Will we have access to the stormwater pipe condition & capacity assessment Council Response: ○ Yes, the full network will be inspected by 2030. ○ In previous years Council has been inspecting stormwater pipes on an as need basis to address blockages etc ○ In 2024, Council's Assets team inspected approximately 20% of the assets (underground stormwater drains), with the focus on high-risk locations, where there are areas likely to be issues. ○ There is budget to continue the CCTV camera works on all locations and create	

Item No:	Item	Responsible Officer
	packages of work, for the projects listed in 2024. ○ In conjunction with the assessment works completed 2024 and in parallel to the KBR assessment FRMSP, Council will be applying for funding in April 2026. ○ The capacity assessment and associated mapping will be provided for the community and review and assess as part of the community consultation. ○ The condition assessment – is currently in Councils Asset system, providing links to videos etc this information in the systems format, is not easily shared, although we can respond to specific questions. Action: • Key questions will be answered on the projects Have Your Say page to provide information on the above questions eg: ➢ When will the Community receive the new flood maps? ➢ There is flooding in locations outside the hot spots areas that have been reported on, what is being done to look at the rest of the LGA? ➢ The assessment of the stormwater pipes completed over 4 years, will every stormwater pipe will be checked? ➢ When will the committee members and community have access to the stormwater pipe condition & capacity assessment?	
6	Any Other Business • Nil	

MEETING CLOSED: 7:34pm

NEXT MEETING: 22 October 2025

REPORT

FC/5.4/25.11



Subject: Resident Parking Scheme Review Committee
Meetings - 11 June 2025 and 18 August 2025 - Minutes

TRIM No: A24/1034

Manager: Sharon Cassidy, Director, Assets and Operations

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council notes the minutes of the Resident Parking Scheme Review Committee meetings held on 11 June 2025 and 18 August 2025 attached to the report.

1. Executive Summary

The report provides information about the Resident Parking Scheme Review Committee meetings held on 11 June 2025 and 18 August 2025.

2. Introduction/Background

On 29 October 2024, Council established the Resident Parking Scheme Review Committee to oversee the Resident Parking Scheme (RPS) Review, administered and operated by Council.

The objectives of the RPS review are to:

- Enhance the existing resident parking scheme such that it reflects the needs of all community stakeholders efficiently and equitably.
- Reduce resources required to implement, administer and manage the RPS scheme.
- Consider complementary kerbside and parking strategies that can contribute toward effective management of a Council asset with numerous competing demands.
- Support Council strategic objectives, including outcomes for all road users.
- Ensure prudent financial stewardship of a valuable Council asset in the short- and long-term.

3. Relevant Council Resolutions

Nil.

4. Discussion

This report updates Councillors on items discussed at the Resident Parking Scheme Review Committee meetings held on 11 June 2025 and 18 August 2025. This minutes, once noted will be placed on Council's website.

5. Financial Impact

The support provided to facilitate the Resident Parking Scheme Review Committee meetings is covered in the Council's operational budget.

6. Risks/Issues

Nil.

7. Attachments

1. Resident Parking Scheme Review Committee - 11 June 2025 - Minutes [↓](#)
2. Resident Parking Scheme Review Committee - 18 August 2025 - Minutes [↓](#) .

Resident Parking Scheme Review Committee Meeting



Minutes & Action Items

Date: Wednesday, 11 June 2025
Meeting commenced: 6:32pm
Meeting closed: 7:53pm
Venue: Hybrid / Boot Factory, Cloud Room, Level 2,
27-33 Spring Street, Bondi Junction

Attendees		Apologies
Councillors Michelle Stephenson (Chair) Dov Frazer (Deputy Chair) Margaret Merten Ludovico Fabiano (Guest) Josh Spicer (Guest)		
Staff Emily Scott General Manager (Guest) Sharon Cassidy Director, Assets and Operations Simon Mueller Manager, Integrated Transport Belinda Luo Senior Traffic Engineer		Nikolaos Zervos, Executive Manager, Infrastructure Services
Community Members Catherine Hoyle Garret O'Connor James Organ		
Precincts Representatives Bill Stavrinou Bondi Precinct		Di Robinson North Bondi Precinct

Item No:	Item	Responsible Officer
1	Acknowledgement of Country - The meeting opened at 6:32pm and Acknowledgement of Country was conducted by Councillor Stephenson.	
2	Introductions and Apologies - Emily Scott, General Manager joined the meeting as a guest. - Apologies were received from Nikolaos Zervos, Executive Manager, Infrastructure Services and Di Robinson (Community Member / North Bondi Precinct rep).	
3	Declaration of Conflict of Interests - No Conflict of Interests were declared for this meeting.	
4	Confirmation of Minutes - Resident Parking Scheme Review 11 March 2025 and Action Tracking Report Update. - Councillor Stephenson presented the 11 March 2025 meeting minutes. These were confirmed by the committee. - Simon Mueller provided an update on previous action items: - o two were completed and outcomes provided in the presentation. - o Revenue related to specific infringements remains a task in progress.	
5	Further Peer Comparisons and Technical Analysis - Simon Mueller outlined recently published TfNSW draft guidelines related to parking permits and on-street parking, noting some potential implications and considerations for this work. Council's response and submission was also reviewed. - Belinda Luo provided an overview of Northern Beaches Council, noting some key differences including some special arrangement area permits which are exclusively available to their LGA residents only. - o Councillor Stephenson (Chair) noted the need for the RPS review to consider trades vehicles and how these impacts on-street parking availability, particularly overnight. Councillor Frazer (Deputy Chair) concurred. - Belinda Luo illustrated the impact driveways have on available kerbside/on-street parking space such that these also add pressure to the RPS system. It was further discussed that insofar permits for on-street parking may incur a fee, there is a fairness consideration here, as off-street spaces enabled by driveways mean those parkers would not have to vie for permits or incur fee. - o Bill Stavrinou noted issues related to driveway parking in that this would often encroach onto the footpath and available garages spaces are still typically not used as a parking space. - o James Organ noted that much of the driveway parking seems to be done illegally, encroaching also into the street itself. - o Catherine Hoyle noted that driveway parking can be preferable, with Cr Frazer concurring, adding that it feels safer. - o Belinda Luo clarified that some of the data was specific to the existing RPS areas, and some of it to the entire LGA in response to a clarifying question	

Item No:	Item	Responsible Officer
	from Garret O'Connor.	
6	Have Your Say Page & Engagement Questions – Potential Strategies - Belinda Luo provided an overview of the proposed Have Your Say (HYS) page and the associated community survey, intended to go live the week of 16 June, for a period of at least 28 days. Belinda Luo proceeded to outline the structure and objectives of the survey. - o James Organ enquired as to the possibility to letterbox all the LGA, with Councillor Fabiano asking about whether businesses will be letterbox dropped. - o Simon Mueller noted that letterbox dropping all of the LGA would be resource-intensive, and we would lean on other channels. - o Sharon Cassidy and Emily Scott noted that an alternative method to reach more businesses would be to work with the Chamber of Commerce and the Economic Development team. Further, we would be able to reach all HYS subscribers and those that currently have permits. - o The group discussed additional engagement methods such as the Mayor's column, with James Organ noting the use of the Beast and Councillor Stephenson noting the use of Bondi Local Loop. - Belinda Luo outlined a few of the key survey questions for further discussion: - o Catherine Hoyle suggested further clarity on what is meant by "lack of permits" as a concern. [Action] - o Garret O'Connor noted that the way the question was framed and the way the Likert scale was developed need to be reconciled. - o Cr Frazer noted that further clarity around price of permits as a concern is required – that these are actually currently free (the first permit). - o Cr Frazer suggested clarity around the kerbside management framework and to modify the wording to include "to guide". - o The group discussed a need to include an additional strategy around managing boat and trailer parking. - o Cr Frazer suggested splitting the question regarding visitor beach permits into two and providing more clarity, including adding the absolute costs. - o Cr Stephenson maintained that keeping the context and framing as one question would be advantageous. It was generally agreed that the one question would be maintained, but with more clarity. - o Bill Stavrinis questioned if there would be an opportunity to remove visitor beach parking permits outright. Simon Mueller noted this would be a challenge given current guidelines. The group agreed that it would be worth including as an option in the question, and feasibility would be a downstream consideration (as part of the evaluation). - o Councillor Frazer and concurred across the committee also sought further clarity on the current beach permit numbers (for visitors and residents). Officers currently have these numbers disaggregated in a spreadsheet; however, they need further vetting and simplification to be readily legible. - Action: - o Clarify wording related to the question about different types of parking concerns. - o Clarify wording related to the strategy of creating a parking and kerbside management framework. - o Include strategy around boat and trailer parking.	Belinda Luo / Simon Mueller

Item No:	Item	Responsible Officer
	○ Clarify wording around visitor beach parking and add absolute values. ○ Explore further suggested methods of engagement options with the Engagement Team. ○ Provide beach parking permit numbers for next meeting.	
7	Objectives + Scoring Metric – Final Input - Simon Mueller reminded of the Terms of Reference objectives and the synthesised version of these presented in the last meeting. There were no further comments or concern with the objectives and sub-criteria. - Simon Mueller introduced how the objectives are intended to underpin a structured decision-making process, and how the Have You Say questions around these objectives in intended to be explicitly (numerically) incorporated into the work.	
7	Draft Weighing + Scoring Examples - Belinda Luo provided further detail on how the structured decision-making processes evaluation framework is proposed to be used, including the weighing of objectives and how sub-criteria would be scored. Belinda also provided an example, and outlined how the Review Committee's input is proposed to be directly incorporated (quantitatively and qualitatively). - Simon Mueller reiterated that the evaluation framework is ultimately intended to help compartmentalise and coalesce input across multiple criteria, in effort to manage complexity, but that it is a supportive tool and not a definitive answer-providing mechanism.	
8	Next Steps Overview - Simon Mueller provided the broader next steps in the process and then those intended for the next review committee. ○ Councillor Spicer sought clarity around the processes intended completion date, currently noted for mid-2026. ○ Council officers confirmed that is the proposed date, outlining the complex nature of the work. The committee members agreed that this work is multi-faceted, complex, and high-profile, such it requires due time to work toward optimal outcomes.	
9	Any Other Business - James Organ raised two additional considerations regarding the Have Your Say survey. 1). Ensuring that voices from all the traveling public are encouraged, not just those who are driving, and 2) that options that include repurposing on-street space for other uses is included. - Action – council officers to add relevant strategy to the survey. - Garret O'Connor sought confirmation that the outcomes of the public engagement/survey would be provided in the next meeting. Simon Mueller assured this would be the case (barring any unforeseen issues). - Councillor Stephenson concluded the meeting and thanked all for their time, noting it as productive.	Belinda Luo / Simon Mueller

MEETING CLOSED: 7:53pm

NEXT MEETING: 18 August 2025

Resident Parking Scheme Review Committee Meeting



Minutes & Action Items

Date: Tuesday, 18 August 2025
Meeting commenced: 7:30pm
Meeting closed: 8:46pm
Venue: Hybrid / Boot Factory, Cloud Room, Level 2,
 27-33 Spring Street, Bondi Junction

Attendees		Apologies
Councillors Michelle Stephenson (Chair) (Cr Stephenson) Dov Frazer (Deputy Chair) (Cr Frazer) Margaret Merten (Cr Merten) Josh Spicer (Guest) (Cr Spicer)		
Staff Sharon Cassidy (SC) Director, Assets and Operations Simon Mueller (SM) Manager, Integrated Transport Belinda Luo (BL) Senior Traffic Engineer, Integrated Transport		Nikolaos Zervos (NZ), Executive Manager, Infrastructure Services
Community Members Catherine Hoyle (CH) Garret O'Connor (GO) James Organ (JO)		
Precincts Representatives Di Robinson (DR) Bondi Precinct Bill Stavrinou (BS) North Bondi Precinct		

Item No:	Item	Responsible Officer
1	Acknowledgement of Country - Cr Stephenson opens the meeting at 7:30pm. - Cr Stephenson provides an acknowledgment of Country to the Bidjigal and Gadigal people who traditionally occupied the Sydney Coast, and the Aboriginal Elders both past and present.	
2	Introductions and Apologies - Cr Spicer joined the meeting as a guest. - Sharon Cassidy provided apologies on behalf of Nikolaos Zervos, Executive Manager, Infrastructure Services. She then introduced the agenda for the evening.	
3	Declaration of Conflict of Interests - No Conflict of Interests were declared for this meeting.	
4	Confirmation of Meeting Minutes dated 11 March 2025 and Action Tracking Report Update - Cr Stephenson introduced the 11 March 2025 meeting minutes. These were confirmed by the committee. - Simon Mueller provided an update on previous action items – two were completed and outcomes provided in the presentation. Revenue related to specific infringements remains a task in progress.	
5	Have Your Say – Analysis & Findings - Simon Mueller updated the committee on the RPS review process status. - Belinda Luo provided updated information related to Beach Permits, outlining that most (~95%) are owned by Waverley residents. - o Cr Frazer enquired as to who or what type the remaining 5% are attributed to. Belinda Luo and Simon Mueller noted that these are non-residents spread across visitor, Council staff or Active Surf Club Member beach permits. - o Di Robinson enquires how much non-residents currently pay for their beach permit. Belinda Luo and Simon Mueller noted that it is around \$2,000. - Belinda Luo reiterated the Have Your Say (HYS) engagement intention was to inform, understand, identify and obtain more RPS related issues and strategies sentiment. Belinda Luo also outlined the methods of engagement during the HYS period. - Belinda Luo expressed the success of the HYS engagement which reached 304 total responses, ranking it top 3 in most engagement responses. The HYS also had a reach of 80,000 (unique social media/ad scrolls) and was the highest performing paid social media campaign in June/July (number of click throughs). Belinda Luo noted that the HYS responses skewed towards an older cohort aged 36-45 and slightly towards more female responses. It was noted that the Community Consultation Report is in progress and will be publicly available when ready. - o Cr Merten enquires what the largest Waverley LGA age cohort is and how that compares to the HYS responses received. Belinda Luo answers that the largest Waverley LGA age cohort is 30-34 and confirms that the HYS responses are skewed towards an older demographic. - Belinda Luo outlined responses by parking area / suburb, noting significant input from North Bondi and Bronte – areas of higher density, but not within a current RPS area. - o Participants requested a map to correspond with the labelled areas in the future. This was acknowledged. A map can also be found in the previous	

Item No:	Item	Responsible Officer
	presentation. - Belinda Luo outlined the responses by type of dwelling and primary affiliation and noted that there was a lack of tenant/renter, business and school staff representation. It is noted that the needs of those who are less represented should be continued to be considered. - o Spurred by Garret O'Connor, the group discussed the terminology of sentiment vs survey participation or representation. It was clarified that the information was generally related to participation. - Belinda Luo outlined various statistical data regarding the responders, including how many registered vehicles, off-street spaces and permits they currently have. It was noted that a majority of responders own one vehicle and do not have any off-street parking space. It was highlighted that these are the people who are more concerned and vocal. - Belinda Luo outlined that a majority of responders experienced difficulty finding on-street parking at all times during the week. This reinforced the parking sentiment heard though the Community Strategic Plan public engagement and continued to demonstrate the importance of the RPS Review and the enduring challenge of parking in this municipality. - Belinda Luo outlined the current on-ground issues expressed by the responders and noted that a strong sentiment was towards difficulty parking close to home and finding on-street parking. - o Simon Mueller highlighted that a substantial amount of responses disagreed that the price of permits were too high, indicating responders have an appetite for pricing adjustments. - Belinda outlined the indicative strategies that were part of the HYS survey, and the key concerns residents have related to parking. - o Cr Merten reminded of the loss of on-street parking related to driveway development, and that the equity of permit costs is a key consideration. - o Catherine Hoyle suggested including defined area examples in future rounds of engagements. This was acknowledged. - o Garret O'Connor noted that there did not appear to be any one prominent strategy as related to public view. - o Simon Mueller noted that the results are aggregate across the LGA with different areas potentially having different key areas of concern or focus. More analysis and cross-tabulation of the data would likely show more varied results for some areas. - o Cr Frazer enquired about the meaning of a parking and kerbside management framework. Simon Mueller responded that it would consider a broad overview of factors relating to kerbside parking, including but not limited to examples such as price, hierarchy, criteria and mobility parking spaces. - Belinda Luo presented results indicating a strong value towards visitor parking. It was noted that an increased implementation of RPS area/streets would mean more difficulty for visitor parking and that consideration of parking restrictions and visitor permits would be necessary. - Belinda Luo presented results indicating interest in Beach Permit pricings staying approximately the same. It was noted that equity verse demand management should be considered. - Belinda Luo presented the responders' objectives weighting sentiment where the following were ranked first to last – "Function & Accessibility" (32.0%), "Equity" (27.2%), "Capacity & Efficiency" (27.1%) and "Finance & Economic Development" (13.7%).	

Item No:	Item	Responsible Officer
	- The group discussed low representation by renters, businesses, visitors, and youth. - o Cr Stephenson suggested reaching out to real estate agencies/management companies as a means to broaden reach as well as reviewing social media platforms and method uses. - o There was discussion that some renters may be more transient, therefore, more difficult to reach and/or less directly engaged. - o James Organ noted that the 2021 census indicated ~49% of people in the Waverley LGA are renters. - o Sharon Cassidy highlighted that although there was little engagement from businesses and non-for-profit groups in this HYS avenue, Council had received continuous feedback through petitions and emails. - Actions: - o Include an Area Map as a visual representation of which areas the HYS responders reside. - o Work with Council's Engagement Team to find ways to broaden reach as part of future consultations.	Belinda Luo Belinda Luo / Simon Mueller
6	Objectives Weighting - Belinda Luo reiterated the purpose of objectives weighting was to ensure that a structured decision-making process is present. Belinda Luo explains the objectives weighting exercise and noted for the committee members to rank the objectives with a holistic and more macro perspective consideration. The weightings would be averaged with the community's input to produce final objective weightings. These weighted objectives would then be used to assess each strategy and how it aligns with the agreed objectives. - o Belinda Luo noted this exercise would be distributed via email to the committee members that were present online during the meeting. - Actions: - o Distribute the Objectives Weighting exercise to the committee members that were present online during this meeting.	Belinda Luo
7	Next Steps - Simon Mueller concludes with the next steps noting further public engagement analysis and identification of proposed high-level strategy options. Simon Mueller further noted that the agenda of the next review committee is to review finalised objectives weightings and review more refined strategy options for potential endorsement. - Simon Mueller noted that a Council Report is proposed to be developed for Phase 1 and 2 for the end of year which would include a more detailed existing conditions and community consultation report. This report would seek approval to advance more defined strategies at a planning and policy level.	
9	Any Other Business - Cr Stephenson questioned for any other business, concluded the meeting and thanked all members for their time.	

MEETING CLOSED: 8:46pm

NEXT MEETING: 19 November 2025

REPORT

FC/5.5/25.11



Subject: Roads Act 1993 Review - Submission

TRIM No: A25/1989

Manager: Nikolaos Zervos, Executive Manager, Infrastructure Services

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council approves the submission to Transport for NSW attached to the report (Attachment 2) on the review of the *Roads Act 1993*.

1. Executive Summary

Transport for NSW is undertaking a major review of the *Roads Act 1993* to ensure it is fit for purpose and adaptable for the future.

In February 2025, Transport for NSW launched the review with an issues paper that was placed on exhibition. Following the specifications of the issues paper consultation process, Council officers provided technical input to highlight the main issues faced with the current legislation, and to enable TfNSW to better frame the broader consultation process. Numerous peer local governments and industry bodies provided input.

Transport for NSW subsequently undertook further stakeholder review, developed a range of proposed approaches and prepared an options paper which they placed on exhibition in August, welcoming input from stakeholders and closing on 31 October. Council as a road authority have a significant interest due to current issues experienced by Council with the underlying roads legislation.

The options paper identified three approaches to the *Roads Act* review, which they requested councils and other stakeholders respond in a template response.

This report recommends that Council retrospectively approves the submission as set out in Attachment 2 to this report into the exhibition process.

2. Introduction/Background

The *Roads Act 1993* is over 30 years old. Transport for NSW (TfNSW) wants to ensure it remains fit for purpose by creating a more contemporary planning and management framework for roads and streets across NSW. This intended reform aims to better support TfNSW, councils and other road authorities as decision-makers. It recognises that roads serve all road users and acknowledges the importance of both traffic movement and the place-making roles of streets.

The NSW Government has released an options paper (Attachment 1) to seek views on the approach to reform that TfNSW should recommend to the NSW Government to take to Parliament in 2026. It brings together the issues with the current legislation framework and outlines a pathway to reform for the regulation of roads in NSW.

The purpose statement for this reform stated as follows:

To manage the road network in a way that ensures safe, efficient, and equitable access for all users; supports economic productivity and community wellbeing; promotes sustainable travel choices and efficient use of resources; protects the natural and built environments; and coordinates infrastructure and land use to enable sustainable, orderly development.

The three reform models presented for review by the NSW Government are as follows:

Model 1 – Codify current practice

This would retain the current legislative structure with targeted improvements but avoids deeper structural reform. The most significant opportunity under this model is to simplify and streamline the varied processes used across road authorities. This model could see a wide range of delegations, authorisations, governance, administrative categories and agreements incorporated into the *Roads Act* and *Roads Regulation*.



Figure 1. Model 1.

Model 2 – Plan-led framework

This would replace the current classification system with statutory road network plans that allocate powers and responsibilities based on agreed objectives and spatial context. The current system lacks mechanisms to manage cumulative impacts, coordinate cross-jurisdictional responsibilities or provide forward looking guidance for the design and use of roads resulting in inefficiencies, inconsistent decisions and missed opportunities. Statutory road network plans would define the intended function, access conditions and road user outcomes for each part of the network which provide clear rules and shared understanding for managing road use over time.



Figure 2. Model 2.

Model 3 – Institutional change

This would introduce a clear separation between regulatory and operational roles within TfNSW, enabling strategic oversight of the entire road network. This model responds to the increasing complexity of the road network and the devolution of powers to local councils. It introduces a new institutional role for the regulator: to monitor performance, approve statutory road network plans, and hold road authorities accountable for delivering outcomes, rather than adhering to prescriptive rules.



Figure 3. Institutional change.

3. Discussion

Council officers recommend that the most effective way to achieve TfNSW outcomes is by institutional change (Model 3) through a combination of devolution of powers to local councils while ensuring consistency, alignment with strategic outcomes and accountability across all road authorities. Also note the following:

- That this institutional change needs to be also supported by well-defined statutory road network plans (Model 2) and a codification of the current practice (Model1).
- That institutional change would be a long-term goal with on-going financial implications for the NSW government.
- That consideration should be given as to how sector-wide oversight can be achieved when state legislation for roads is supported by a range of other legislation, such as the *Road Transport Act 2013*, *Local Government Act 1993* and *Environmental Planning and Assessment Act 1979*.
- That consideration should also be given as to how broader oversight can be achieved to modify the shortcomings of the current legislative framework, including the *Energies and Utilities Administration Act 1987*, which grants utilities overriding authority over Council's infrastructure works, despite the intent of guidelines such as iWORCS to promote collaboration.
- That there would be potential benefits from implementing Model 1 without Models 2 and 3, including greater efficiencies, providing clarification and reducing duplication.
- That there would be further potential benefits from implementing Model 2, including Model 1, but without Model 3, by defining modal priorities, desired user outcomes, and spatial outcomes through embedding priority and equity into road network plans.
- There are risks to achieving the outcomes through a lack of our understanding as to the proposed form, agenda and implications of the planned regulatory body and TfNSW for NSW's current and future intent.
- There are risks as to the NSW Government appreciation of the resourcing required by councils so they can fully contribute to the development of statutory road network plans to the benefit of local communities.
- Despite separation of power, there remains risks from future potential impact of state level influence in a way that may not be in the interest of local governments and their communities.

The engagement requires a response by 31 October and is required in a specified format. This report recommends that Council retrospectively approves the submission as set out in Attachment 2 to this report into the exhibition process.

There has been broad engagement with relevant internal stakeholders as well as a Councillor briefing held on 28 October 2025, which informed the development of this submission.

4. Financial Impact

There is no financial impact to Council providing a submission.

5. Risks/Issues

There are no immediate risks to Council with respect to making a submission. The ultimate outcomes of the review may be of material risk in the future, although this is difficult to predict.

6. Attachments

1. Transport for NSW - Review of the Roads Act 1993 - Options Paper - August 2025 [↓](#)
2. Submission [↓](#) .

Transport
for NSW

Review of the *Roads Act 1993*

Options Paper

August 2025





Woolgoolga to Ballina
Pacific Highway upgrade,
Iluka interchange,
Woombah, NSW

Preface

Roads are the arteries of the New South Wales economy, while streets are the places that connect people, support local life and shape the character of our communities. Together they form a vast and vital public network that enables movement, fosters social interaction and underpins economic activity across the state.

The Roads Act 1993 has long provided the foundation for managing this network. However, over the past 30 years the policy focus has changed. For much of the past century, the focus was on building main roads and highways to support car travel, regional access and freight movement. This approach reflected a period of rapid urban expansion, growing vehicle ownership and an infrastructure-led vision of development.

Today, the policy focus is shifting. As NSW grows, there is increasing recognition of the need for streets to do more than move vehicles. There is a need to support sustainable modes of transport, integrate land use and mobility, and create streets that enable vibrant, accessible and liveable communities. This includes a greater emphasis on public transport, walking and cycling, higher productive freight movements with increased demand for servicing and deliveries and the role of streets as places of civic, economic and social activity. There are also changes in technology like Electric Vehicles and a changing way that roads are funded as a result.

These changes require a modern regulatory framework that supports not just efficient movement but also efficient land use and better place outcomes, and enables coordinated, outcomes-focused management of roads and streets across the state.

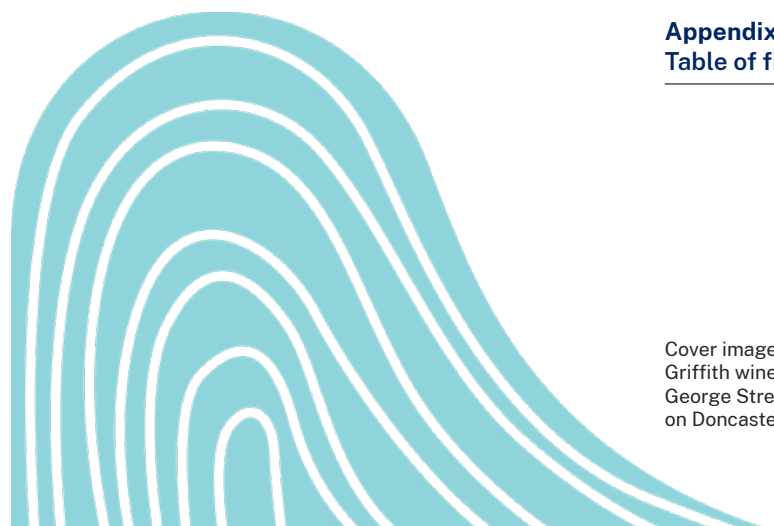
This Options Paper is a key milestone in the review of the Roads Act. It builds on the feedback and evidence gathered through extensive consultation and analysis. It presents three alternative models for reform, each offering a different approach to modernising road regulation in NSW. These models are not simply technical or legislative options. They are different ways of responding to the complex challenges and opportunities that lie ahead.

The aim is not simply to update an ageing statute but to create a regulatory framework that supports great places, efficient networks and shared public value. This means recognising roads and streets as more than infrastructure. They are part of the social, economic and environmental fabric of the state.

We now invite you to consider the models presented and help shape a future-focused approach to managing roads and streets across NSW.

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Cover images clockwise from left: Bus driving through Griffith wine region, traffic, light rail and pedestrians on George Street in Sydney CBD, and People riding bikes on Doncaster Avenue cycleway, Kensington.

4

Transport for NSW

Review of the Roads Act 1993 Options Paper





Acknowledgement of Country

Transport acknowledges the traditional custodians of the land and pays respect to Elders past and present.

Transport acknowledges that the roads we plan, build and maintain today follow pathways that have connected Country for tens of thousands of years. These routes trace traditional Songlines, trade routes and ceremonial pathways that Aboriginal people used to move across Country, share knowledge, conduct ceremony and maintain connections between communities and sacred sites.

We recognise that these routes are not simply transport infrastructure. They are cultural and living connections, shaped by thousands of years of custodianship, ceremony and care. Our road network carries the responsibility of maintaining these ancient connections while serving contemporary communities.

Roads and streets are not only corridors for movement. They are shared places where people meet, interact and build connections. As stewards of the road network, we have a responsibility to respect these deeper cultural meanings and support roads that serve all who live on and travel through Country, now and into the future.

We carry a shared responsibility to honour ancient connections, to care for Country and to ensure that roads support sustainable, inclusive and resilient communities.



Executive summary

This Options Paper asks for your views on the approach to reform that Transport for NSW should recommend to the NSW Government to take to Parliament in 2026. It brings together the issues with the current legislative framework and outlines a pathway to reform for the regulation of roads in NSW.

How to approach this document

Feedback is invited on the on the three models outlined in chapters 5, 6 and 7, the supporting mechanisms in chapter 8 and other considerations in chapter 9.

Your feedback will help shape the recommendations made by Transport for NSW to Government on the preferred reform approach and implementation pathway.

Why reform is needed

The *Roads Act 1993* (The Act) is over 30 years old, and the NSW Government wants to ensure it remains fit for purpose by creating a more contemporary planning and management framework for roads and streets across NSW.

This reform aims to better support Transport for NSW, councils, and other roads authorities as decision-makers. It recognises that roads serve all road users and acknowledges the importance of both traffic movement and the place-making roles of streets.

The Act should align with community expectations, transport modes, technology, and the modern way of life. It should also better support the Government’s objectives for housing, vibrancy, and a more equitable and healthy transport system that recognises the multiple users and uses for roads within communities.

Over time, administrative processes for managing and delivering the road network have introduced additional complexity and time to the process. Several inquiries and reform initiatives have recently recommended reviewing the *Roads Act 1993*, including the NSW Bus Industry Taskforce Review, the NSW Parliament inquiry into Use of E-scooters, E-bikes and related mobility options, and the Productivity and Equality Commission Review of Regulatory Barriers Impeding a Vibrant 24-hour Economy.

Reform outcomes

Your views are sought on a proposed purpose and outcomes for the regulatory framework.

Purpose statement

‘To manage the road network in a way that ensures safe, efficient, and equitable access for all users; supports economic productivity and community wellbeing; promotes sustainable travel choices and efficient use of resources; protects the natural and built environments; and coordinates infrastructure and land use to enable sustainable, orderly development.’



The following table describes the proposed regulatory outcomes:

Table 1. Proposed regulatory outcomes

Outcome	Description
Universal access	Ensure the right of passage and access for all people
Safety	Provide a safe road system for all road users
Wellbeing	Support the physical, mental and social wellbeing of communities through equitable, safe and pleasant streetscapes
Efficiency	Manage the network to support the space-efficient and reliable movement of people and goods
Productivity	Support economic activity, including freight movement, deliveries, servicing, vibrancy and place activity
Sustainability	Promote sustainable travel choices and the efficient use of energy, materials and land
Resilience	Enable the road network to withstand, adapt to and recover from disruption and a changing climate
Environmental protection	Protect the built and natural environment from degradation or harm
Asset protection	Prevent premature deterioration, structural damage and excessive wear
Orderly development	Coordinate road network development with land use, public transport and multimodal movement
Financial responsibility	Develop and manage the road network in a way that makes the best use of public funds

Three reform models

Three regulatory models are presented for consideration and feedback. Each model offers a different approach to structuring legislative powers, institutional responsibilities, and regulatory tools to support a more coherent, risk-based, and outcome-focused road management framework.

The models build on each other, with later models incorporating aspects of the previous ones. The reforms could be implemented in phases to deliver more substantial changes over time.

The proposed models represent different stages along a regulatory maturity continuum, from codifying current practice to more advanced, outcomes-based and institutionally integrated governance. While each offers distinct benefits, they also vary in the level of reform complexity, implementation impact and resourcing required.

- Model 1: Codify current practice** – retains the current legislative structure with targeted improvements but avoids deeper structural reform (chapter 5).
- Model 2: Plan-led framework** – replaces the current classification system with statutory road network plans that allocate powers and responsibilities based on agreed objectives and spatial context (chapter 6).
- Model 3: Institutional change** – introduces a clear separation between regulatory and operational roles within Transport enabling strategic oversight of the entire road network (chapter 7).



Supporting mechanisms

Achieving the desired regulatory outcomes will require more than legislative change. Practical tools, clear guidance and delivery mechanisms are needed to turn intent into consistent, effective action across all roads authorities.

Regulatory tools and processes

Effective regulation of third-party activities in the road reserve depends not only on clear legislative powers, but also on the systems, tools and protocols that support day-to-day implementation. Activities involving utility works, temporary occupations and private infrastructure in the road corridor often involve multiple stakeholders, overlapping legislation and variable local practices. To ensure consistent, transparent and high-quality regulatory outcomes, the following mechanisms could be implemented to support the regulation of third parties across the domains of assets, structures and temporary activities.

New systems, tools and protocols may include those listed below.

- Enforceable statutory permits.
- Standardised templates and model processes.
- Regulations establishing standardised terminology, forms and procedures.
- Centralised digital portal for scheduling and notifications.
- Risk-based assessment frameworks for common activities.
- Mandatory codes of practice promoting quality standards.
- Flexible standards framework with assessment hierarchy.
- Integrated assessment pathways combining land use planning and roads approvals.
- Formalised decision protocols and timeframes for multi-agency approvals.
- Comprehensive quality assurance and compliance framework.
- Regulation of fees and charges for all roads authorities.

Compliance and penalties

Effective compliance mechanisms are critical to realising the benefits of reforming the *Roads Act 1993* and maintaining public trust in the regulatory system. To support a modern, multi-level and context-sensitive road regulation framework, the compliance system must be strengthened through more flexible enforcement tools, clearer statutory powers, and improved systems for monitoring, reporting and accountability.

Other considerations

The review of the *Roads Act 1993* provides an opportunity to consider the most efficient arrangements for administering and managing Crown roads across government agencies, which could involve removing Crown roads from the public road network, redefining them as trails or private roads, or having Crown Lands retain responsibility as a roads authority with clearer identification and classification of Crown roads, as well as additional legislative improvements to modernise the Act.

The review also considers the added legislative complexity when a road is on land that is managed by an organisation that is not a road authority. This includes State Government agencies like National Parks, State Forests and Greater Sydney Parklands. It also includes land owned by Aboriginal Land Councils.

Implementation

Implementation will be shaped by budgetary constraints and competing priorities. A staged and scalable approach will allow progress to be made within available funding, while still aligning with broader strategic goals. It is unlikely that any model will be delivered through a single large-scale reform. Instead, a phased program of change is likely to emerge, starting with foundational actions such as legislative amendments, capacity building, pilot programs and updated guidance. This should be supported by ongoing evaluation and feedback mechanisms, allowing adjustments to be made as reform momentum builds and system needs evolve.

A clear and realistic implementation roadmap will be essential to achieving the reform ambition, while ensuring that councils and communities are well supported throughout the transition.



Introduction

1

Streets where you can comfortably walk your kids to school, cycle safely to work, catch a bus easily and roads to drive efficiently to your destination, this is the vision for NSW roads and streets.

A clear system to navigate, with fast decisions and certainty for businesses, developers and local governments who shape our neighbourhoods. NSW roads and streets should support thriving, sustainable communities that are resilient against climate change and inclusive for all, no matter their mode of travel.

The NSW Government has asked Transport for NSW (Transport) to review the *Roads Act 1993* to ensure it remains fit for purpose. The existing act no longer reflects today’s lifestyles, community expectations or environmental realities. The community expects roads and streets that serve multiple roles: not only for moving people and goods but also supporting vibrancy and community wellbeing.

The regulation of roads in NSW

In NSW, three separate but intersecting Acts govern the planning, use and management of the NSW road network.

Roads Act 1993 primarily governs the physical infrastructure of roads, ensuring public access and defining the functions of roads authorities.

Road Transport Act 2013 focuses on road users, including licensing, vehicle registration, and safety regulations to ensure efficient and secure transport.

Transport Administration Act 1988 oversees the broader transport system, ensuring that NSW transport entities integrate planning, delivery and resourcing effectively.

Supporting the Acts are a vast array of regulations, delegations, policies, procedures, standards and guidance documents.

Transport legislation and policies also interact with other legislative frameworks such as the *Environmental Planning and Assessment Act 1979*, which generally applies to the development, assessment and maintenance of roads, and the *Local Government Act 1993* which empowers Councils to manage public assets and lands.

There are also several state government agency road managers (such as National Parks and Wildlife Services, Forestry Corporation of NSW, Royal Botanical Gardens and Domain Trust, and Sydney Olympic Park Authority) that manage roads via their own legislative frameworks.

The *Roads Act 1993* also established the Minister administering the Crown Land Management Act 2016 roads authority for around 520,000 ha of Crown roads. These roads were mapped during the settlement of NSW to ensure some legal access would be available to property as land was subdivided..

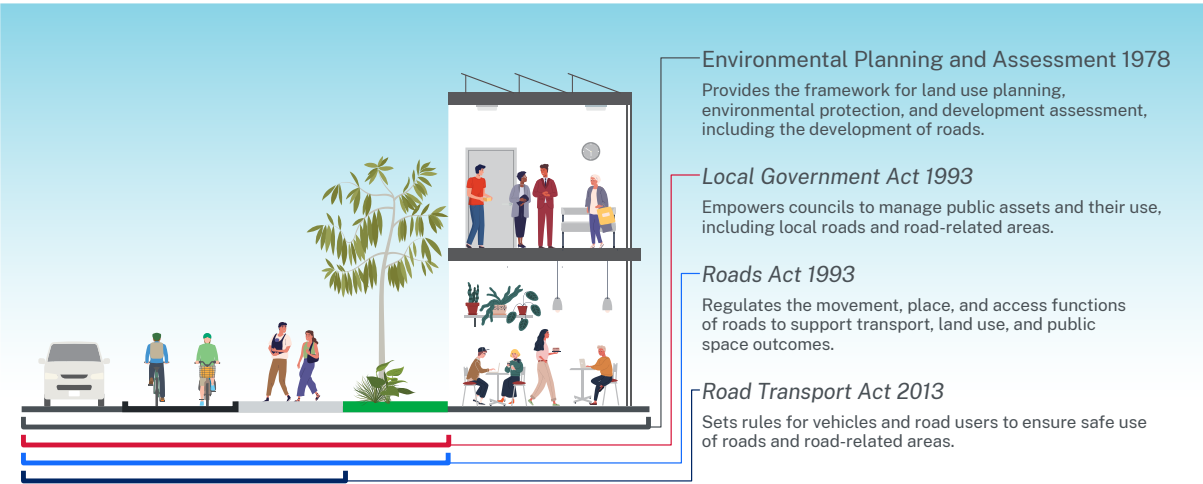


Figure 1. Legislation governing road management



Gulgong, NSW
© Destination NSW

Roads and streets

The terms road and street are often used interchangeably; however, it is helpful to clarify the functional difference between roads and streets.

Roads are for longer distance journeys—from a Movement and Place perspective we call this ‘through movement’—and are designed for higher speeds and saving time. Streets provide local access and are places for the community to spend time.



Figure 2. The functional difference between roads and streets



Roads prioritise the right of passage over access to property. They are designed for through movement at higher speeds for broader district or regional connections and have limited entry points, intersections, and driveways. Road users are physically separated or controlled with signals due to the high differential in travel speeds between walking, cycling and general traffic. Roads make up less than 20 per cent of the network in NSW.

Streets make up the greater part of the transport network and focus on the right of access to property. Streets play an important role in local travel and connectivity. They range from quiet and calm local streets to vibrant main streets and lively civic spaces. Streets can be important transport corridors—providing vital connections for public transport, deliveries, cycling, and walking and also creating important places in their own right. Streets have significant meaning for local communities.

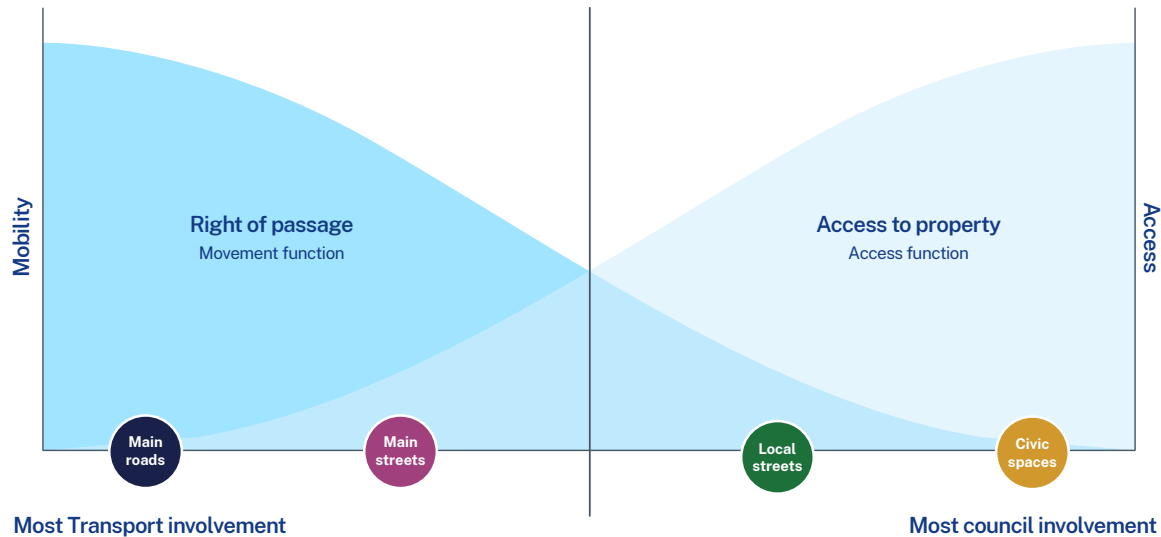


Figure 3. Roads preference right of passage while streets preference access to property

Why reform is needed

The Roads Act is a crucial piece of legislation that impacts everyone, from families to business and even our cultural heritage. The Act governs how roads are planned, built, and maintained, and influences safety, accessibility, and efficiency for road users.

The review of the Roads Act is essential to address the diverse needs and concerns of the community. Reforming the Act can make roads safer, more inclusive, and better managed, ultimately benefiting everyone who relies on our road network.

Using fictional personas helps to illustrate the diverse perspectives and real-life scenarios that different individuals might face.



Minh
Mum of two school aged children living in an urban area

‘As a mum of two, I worry every morning when my kids head off to school – the roads are so busy, and there just aren’t enough safe crossings or dedicated bike paths in our area. Cars come flying around corners, and sometimes the footpaths are blocked or uneven. I want my kids to be independent and active, but it’s hard to feel confident letting them go on their own when I’m not sure they’ll be seen or safe.

If a change to this law means that children can move around roads and streets more safely, that would be reassuring.’



Jordan
Heavy vehicle Driver

‘I’ve been driving heavy vehicles across NSW for over 20 years. The roads are our lifeline- without them, freight doesn’t move, shelves don’t get stocked, and businesses grind to a halt. I worry about how decisions are made. We need a system that’s consistent across the state, with clear rules and proper oversight.

When roads are closed due to floods or landslides, we need temporary routes fast. The Roads Act should recognise that freight isn’t just about trucks, it’s about keeping communities supplied and businesses running. Give us safe, reliable roads, and a voice in how the network is managed.’



Sara
Small business owner

‘I run a small café on a busy street, and we’ve been trying to set up some outdoor seating to attract more foot traffic. But the process to get approval is confusing and slow. Every time we apply, it feels like we’re navigating a maze of permits, regulations, and unclear responsibilities.

I didn’t realise how much the Roads Act influences things like kerbside dining, signage, or even where we can place a planter box. It’s frustrating because we’re just trying to make the street more inviting, and the Act should support that.’



Tanya
Field operations manager at a utility company

‘We install and maintain infrastructure like power poles, conduits and hydrants – most of it sits within the road corridor. Every time we need to dig or upgrade, we have to navigate a different set of rules depending on the council or road authority. It’s time-consuming and inconsistent.

The Roads Act affects nearly everything we do, but it’s not always clear how. If the Act could standardise permitting and make it easier to coordinate with councils and Transport, we’d save time, reduce disruptions, and deliver better service to the community.’



Uncle Bill
Aboriginal Elder

‘I know most people think roads are just for cars and trucks, but for me, they’re part of something much older. They’re living connections. They carry meaning, memory and responsibility. When the Roads Act was written, it didn’t speak to that. It didn’t recognise that these corridors are cultural spaces, not just infrastructure.

I’d like to see the Act do more to respect Country. That means involving Aboriginal communities early when roads are planned or changed. It means protecting sacred sites, listening to Elders, and making sure roads don’t just serve movement, they serve connection. It also means thinking about how roads affect our health, our access to services, and our ability to gather and share knowledge.

Roads should be safe and inclusive for everyone, but they should also honour the stories they’re built on. If the Act can help roads do that; carry people and culture together – then it’s heading in the right direction.’

**Tamika**

**Project
Director at a
Development
Consultancy**

'We're working on a multi-stage residential development that's meant to deliver hundreds of new homes over the next few years. Roads are a critical part of that—driveway access, traffic flow, pedestrian safety, stormwater management, you name it. But the process for getting road-related approvals is slow, fragmented, and often unclear.

We get planning consent but then hit roadblocks when we try to get access approvals or coordinate with roads authorities. Sometimes Transport and council don't agree, and we're stuck redesigning layouts or waiting for months. That costs time and money, and it's frustrating when we're trying to deliver housing that the state says it needs urgently.'

**Morgan**

**Council
infrastructure
manager**

'Our team is responsible for maintaining and upgrading the local road network. Everything from potholes and footpaths to stormwater and signage. The Roads Act underpins a lot of what we do, but it's not always clear or easy to work with. There are overlaps with other legislation, and sometimes it's hard to know where our authority ends and Transport's begins.

We often face delays when trying to get approvals for minor works or traffic changes, especially on classified roads. The current system can be rigid and doesn't always reflect the local context or urgency, like when we need to respond quickly after a storm or landslide.

What we need is a clearer, more flexible framework that empowers councils to act efficiently while still coordinating with state agencies. If the Roads Act could streamline decision-making, clarify responsibilities, and support better integration with land use planning, it would help us deliver safer, more responsive infrastructure for our communities.'

**Taylor**

**Council
Manager**

'We're already stretched managing our local road network. Between maintenance, community expectations, and emergency response, our team is constantly juggling priorities. The idea of a major change to the Roads Act makes me nervous. If it means more responsibilities without more resources, that's going to be a real challenge for us.

I understand the need for reform, and I support the goals- better integration with planning, clearer roles, safer and more inclusive streets. But councils like ours need practical support to make it work. That means clear guidance, digital tools, training, and funding where needed. We can't be expected to absorb new processes or planning requirements without help.

If Transport for NSW is serious about partnering with councils and backing us through the transition, then I'm open to change. But we need to see that commitment in the day-to-day support that helps us deliver for our communities.'

**Sina**

**Community
member living
with disability
in a large
regional centre**

'I use a mobility scooter to get around, and while some parts of town are accessible, others are really difficult. Footpaths can be narrow or broken, crossings are often too far apart, and I've had to take long detours just to avoid unsafe areas. It makes everyday tasks like getting to the shops or catching a bus more stressful than they should be.

I didn't know the Roads Act had anything to do with this, but if it shapes how streets are designed and managed, then it needs to do more to include people like me. Accessibility shouldn't be an afterthought, it should be built in from the start.'

**Alex**

**Project
Manager at a
civil works firm**

'We applied for a Section 138 approval to upgrade a driveway and drainage. It should've been simple, but the process was slow and confusing. We weren't sure who had final say – Council or Transport, and the requirements kept shifting.

If the Roads Act could streamline approvals and clarify responsibilities, especially for low-risk works, it would save time and reduce frustration. We just want to get the job done safely and efficiently.'



Terms of reference

The Minister for Transport and the Minister for Roads and Minister for Regional Transport have asked Transport for NSW (Transport) to investigate and address regulatory barriers to achieving fundamental government priorities like increasing housing supply, improving vibrancy, enabling a range of road-based transport modes, and ensuring coherence in the administration and regulation of roads in NSW. The review of the *Roads Act 1993* is a primary element of this investigation, and it is envisioned that the recommendations will fundamentally shape the way roads and streets across NSW are managed into the future.

While primarily focused on reshaping key aspects of the *Roads Act 1993*, achieving the government objectives may also require consequential change in the *Road Transport Act 2013* and the *Transport Administration Act 1988*.

The NSW Government is delivering on a diverse agenda for people in NSW including housing supply, vibrancy, road-based public transport and active transport. Transport will aim to achieve the following objectives, which have been set by our NSW Government ministers. They are, ensuring:

- more contemporary uses for roads and streets that are safe and responsive to community needs
- faster local decision making with appropriate mitigations to manage network risk
- a streamlined and easy to use statute that keeps pace with change
- a more operationally effective statute.

This is a complex task that will occur during this term of the NSW Parliament.

Out of scope

Some roads-related aspects are out of scope. The review will not be addressing funding arrangements between and within different levels of government. The review will also not be considering changes to the way roads are maintained and the contractual arrangements currently in place. The Government's tolling reforms and statutory review of Part 9 Division 7 of the Act, which deals with offences related to unauthorised entry or disruption on major roads, tunnels and bridges, are also out of scope and addressed through separate processes.

The Roads Act 1993 review

The purpose of the NSW Government’s reform agenda for the *Roads Act 1993* is to create more contemporary and responsive transport systems that align with the state’s goals for vibrant, sustainable, resilient and inclusive development. This includes facilitating increased housing and enabling infrastructure, as well as recognising the dual role of roads and transport networks in supporting both mobility and community connection.

These reforms require more contemporary transport systems that are responsive to the needs of communities. Central to this approach is the NSW Movement and Place Framework, which recognises the dual role of roads and transport networks in facilitating both mobility and community connection.

Therefore, the agenda for roads and streets is not just about building roads, but about creating a connected, liveable and responsive environment that aligns with the Government’s housing and urban development goals.

The Roads Act commenced on 1 July 1993. Although amended several times over the past 30 years, a first principles review is needed now to ensure it remains fit for purpose.

Transport’s targeted review is designed to create a streamlined and easy to use statute that keeps pace with change and remains relevant and effective in the face of rapid technological advancements and shifting community attitudes.

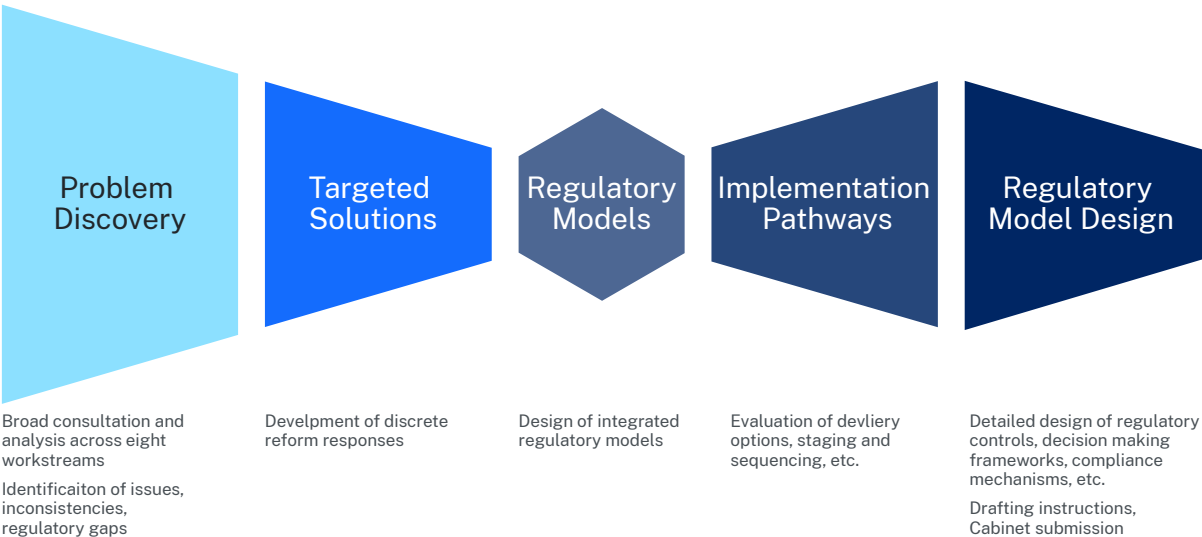


Figure 4. Our Roads Act review pathway

This Options Paper asks for your views on the approach to reform that Transport should recommend to the NSW Government to take to Parliament in 2026. It brings together the input that was received in the first half of 2025 to define the problems with the current legislative framework (chapters 2 and 3) and outlines a pathway to reform for the regulation of roads in NSW (chapter 4). Your views are sought on the reform outcomes for NSW, three reform models (chapters 5, 6 and 7), supporting mechanisms (chapter 8) and other considerations (chapter 9). Transport will use your feedback to shape its recommendation to Government on the preferred reform approach and implementation pathway (chapter 10).

Several inquiries and reform initiatives have recently recommended prioritising a review of the *Roads Act 1993*, including the [NSW Bus Industry Taskforce Review](#), the NSW Parliament inquiry into [Use of E-scooters, E-bikes and related mobility options](#) and the Transport [Implementation Review of the Road User Space Allocation Policy](#).



Outcomes we are aiming for

The reform is focused on improving how roads and streets function for all of us. That means:

- **safe and accessible streets for everyone on all modes** – including the 40% of people who don't drive such as children, older people and people living with a disability
- **efficient movement of goods and services** to support local business and communities across all regions
- **communities connected by high quality and fit for purpose infrastructure** that enables regional communities to thrive
- **healthy, green neighbourhoods that support the wellbeing of communities** where active travel and outdoor recreation are encouraged through design
- **resilient and sustainable design** that reduces environmental impacts and adapts to climate change
- **coordinated, consistent and smart financial decision making** that supports land use and public transport planning across all agencies.

Options being considered

The paper outlines three possible reform models – from simple updates to bigger changes:

1. **Keep the structure, tidy it up** – Minor changes that clarify existing rules and regulations into a more accessible system.
2. **Plan-led reform** – Use local and regional road network plans to guide who manages what and why.
3. **Bigger system change** – Create clearer roles and responsibilities within government so the system works better overall.

Each could build on the other, and rolled out gradually, so the system has time to adapt.

Other considerations

To make the system work better day-to-day, the paper also explores:

- clearer, faster permits for utility works, outdoor dining, temporary street use, etc.
- standard templates, digital systems, and risk-based approvals to reduce delays
- better coordination between agencies, especially for shared road space
- consistent rules and expectations across the state
- less duplication of roles and responsibilities, and less paperwork for approvals.

The review proposes stronger tools to ensure fair and consistent enforcement, including:

- a wider range of penalties (not token fines, and not just court action)
- rules for approving and monitoring frequent contractors
- site inspections, audit powers and performance checks
- digital tracking of permits and works.

The idea is to encourage good behaviour and hold everyone accountable whether it's a local council, contractor, or a government agency.

While largely focusing on opportunities to improve regulation of the road network this review also provides a valuable opportunity to consider the most efficient arrangements for administering and managing Crown roads. This Options Paper notes these opportunities where relevant and asks: should they stay as they are, or should other authorities (like councils or Transport) take them over? This could improve maintenance, access, and decision-making.



How you can be involved

This Options Paper marks a significant milestone in the review of the *Roads Act 1993*. It has been shaped by the extensive feedback received during the Issues Paper consultation, and through ongoing engagement with a broad and diverse range of stakeholders.

Insights gathered from written submissions, survey responses, briefings, workshops and meetings with councils, peak bodies, advocacy groups and community representatives have directly informed the development

of the reform options. The Options Paper reflects the priorities, challenges and aspirations of those who interact with the Act in practice.

We now invite all stakeholders to continue their involvement by reviewing the Options Paper and providing feedback on the options for reform through the Have Your Say portal: www.haveyoursay.nsw.gov.au/roads-act-1993.

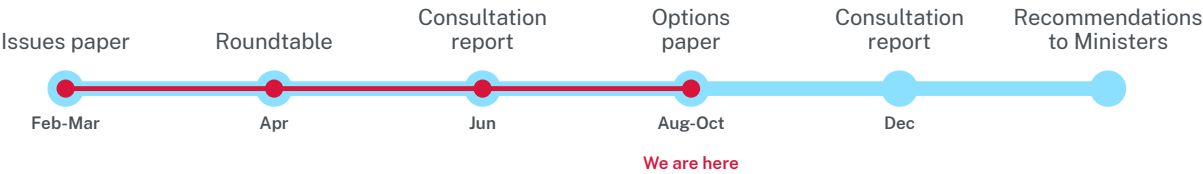


Figure 5. Roads Act review timeline

About this Options Paper

This Options Paper builds on the previous work detailed in the Issues Paper to consider models of reform that may provide the appropriate framework for a modern and streamlined Roads Act.

It first outlines the key themes from the Issues Paper and what we heard through the consultation period, which included workshops and a roundtable discussion, targeted engagement with key stakeholders and submissions. Findings from the consultation and review process are summarised in a detailed consideration of the limitations of the current *Roads Act 1993*.

The paper outlines the objectives and scope of reform before highlighting the frameworks of good regulation. These frameworks provide key principles to build reform options.

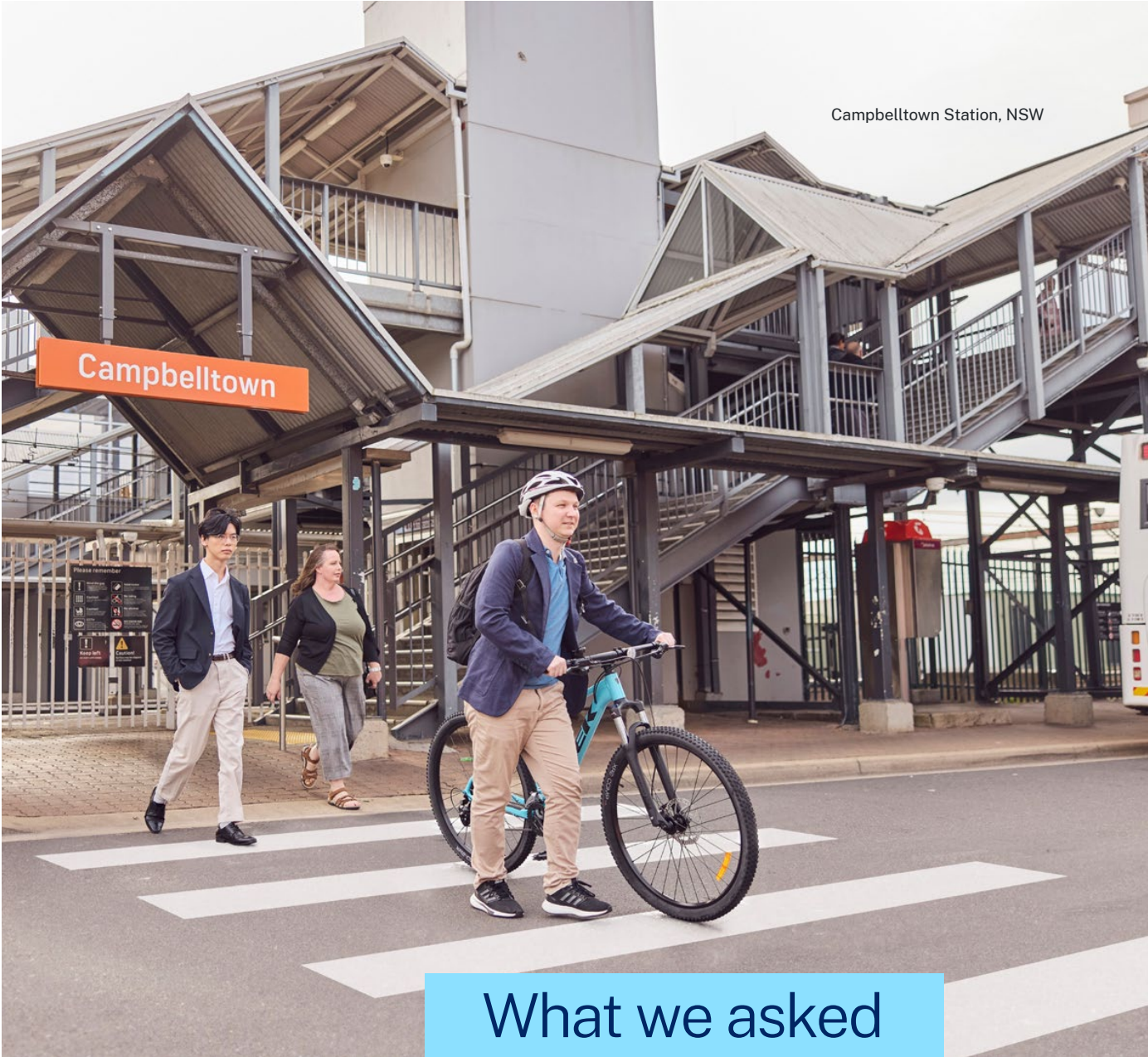
The options for reform are then presented as three models. Each are frameworks that provide structure to the new regulatory system. These models are the focus of what we are seeking feedback on.

Following discussion of the models, the document highlights supporting mechanisms and other considerations that could be implemented regardless of the models chosen.

Finally, the document discusses implementation and key factors that will be considered moving forward.

This reform is about giving people safer, fairer and better streets, and giving councils, businesses, and builders a clearer, faster and smarter system to work within.

You're invited to have your say on what matters most. Let's build a future where streets work better for everyone.



Campbelltown Station, NSW

What we asked
and what we heard

2

Transport has undertaken comprehensive consultation to date on the *Roads Act 1993* review, beginning with targeted stakeholder engagement and culminating in broad public consultation on the Issues Paper.

Issues Paper

In February 2025, Transport published the *Roads Act 1993* Issues Paper for consultation. The paper sought feedback on whether the Act remains fit for purpose and how it could be modernised to support safer, more contemporary and community-responsive use of roads and streets across NSW.

The paper acknowledged that NSW’s road network is extensive and diverse, consisting of over 188,000 kilometres of roads (BITRE 2023), 89 per cent of which are owned and maintained by local councils (Transport for NSW 2024a). Of these roads, streets make up 80 per cent of the network (BITRE 2023) and serve as public space with multiple purposes, from facilitating the movement of freight and private vehicles to enabling walking, cycling, outdoor dining and local economic activity.

The document explored the following key themes and asked stakeholders to respond to a range of questions on these topics in their feedback:

Changing community expectations and uses of roads and streets

The paper questioned whether roads and streets could better serve as public spaces beyond their traditional role as transport corridors. It explored how the Act might better reflect social and economic uses such as community events, markets, outdoor dining, walking and cycling, and whether streets could play a greater role in supporting public health, inclusion and climate resilience.

The structure and purpose of the *Roads Act 1993*

We wanted to know whether the Act adequately accounts for today’s diverse movement and place functions. The paper raised questions about whether the Act’s objectives should be expanded to reflect current policy outcomes such as safety, place making, and environmental performance.

Accommodation of all road users

The paper investigated whether there could be better support for inclusive accommodation of all road users, including people with limited mobility, active transport users and public transport passengers. It questioned whether ambiguities in the use of terms like ‘traffic’ and limited references to walking and cycling might need addressing.

Road classification and regulatory complexity

The paper questioned whether multiple overlapping classification systems (legal, administrative, functional) might be causing confusion and inefficiency. It sought input on whether classifications could be simplified and better aligned to support clearer roles and responsibilities.

Integration with land use planning and development assessment

The paper explored whether the Act could provide a stronger strategic basis for road network planning and better integration with the *Environmental Planning and Assessment Act 1979*, questioning whether current arrangements might result in fragmented approvals and regulatory duplication.

Roles, responsibilities and decision-making processes

The document questioned whether there might be opportunities to clarify and streamline how decisions are made under the Act, particularly between Transport and councils. It explored whether delegations, workarounds and legacy governance structures could be creating confusion and inefficiency.

Operational tools, permits and cost recovery

The paper examined whether improvements could be made to permit systems such as road occupancy licences, questioned whether common regulatory tools needed better legislative recognition, and explored whether there were limitations on cost recovery when managing impacts on classified roads.

Compliance and enforcement mechanisms

The paper questioned whether the compliance framework might need updating, exploring whether penalty values had been eroded over time and whether there were sufficient tools to address environmental or safety breaches. It investigated whether civil and administrative penalties in line with other legislation could be beneficial.

Future-proofing the Act and supporting regulatory innovation

The review explored whether regulatory experimentation could be better enabled and questioned whether the Act needed to be more adaptable to technological change. It investigated whether the Act was sufficiently flexible to respond to future mobility trends, such as electric vehicles, automation and e-micromobility.

What we heard

During consultation on the Issues Paper, feedback was collated from many sources, including 73 written submissions, 46 completed surveys, over 200 briefings and conversations with stakeholders, and a stakeholder roundtable attended by about 100 people representing councils from across the state and peak professional and advocacy organisations.

The Have Your Say portal received 3544 views and 2642 individual visits, with stakeholders representing diverse groups including regional and Greater Sydney councils, community and advocacy groups, peak professional bodies, NSW government agencies, consultancies, developers and members of the public.

The consultation summary report offers a detailed overview of the key themes and topics highlighted in the feedback, encompassing comments and suggestions received through stakeholder workshops and forums, emails, meetings and the Have Your Say online portal.

The primary topics of feedback were:

Redefine the purpose and objectives of roads and streets

Respondents broadly spoke of the need to expand the objectives of the Act to recognise roads and streets as multifunctional public spaces that serve purposes beyond just vehicle movement, such as place making, active transport and community activities.

They also suggested that the review should incorporate principles of sustainability, public health and environmental protection into the Act’s objectives. Respondents discussed the need to streamline the classification of roads and streets to better align with their functional uses and the Movement and Place Framework.

‘Decarbonising transport and encouraging more trips on foot or by bike is critical to reducing emissions and climate action. Making walking and riding more attractive means roads and streets must be safe and comfortable for people to walk.’

– Better Streets and Walk Sydney

Empower local councils and improve governance

Respondents asked for the review to clarify the roles and responsibilities of state and local authorities, and provide more autonomy and delegated powers to councils in managing local roads and streets.

Many respondents highlighted the need to streamline approval processes and reduce bureaucratic red tape, particularly for low-risk and minor works. They suggested that the Act could better integrate with other relevant legislation, such as the Environmental Planning and Assessment Act, to improve coordination and efficiency.

Prioritise safety and accessibility for all road users

Many responses focused on the need to explicitly recognise the requirements of people walking, cycling, using public transport and other vulnerable road users in the Act.

Incorporation of a road user hierarchy to ensure the safety of all road users was identified as a primary consideration. Many local government responses suggested that councils could be given more flexibility to implement traffic calming measures and lower speed limits on local streets.



Modernising the Act and enabling innovation

Respondents agreed that the review needs to ensure the Act remains adaptable and responsive to emerging technologies, such as autonomous vehicles, electric vehicles, and micromobility options.

A modern Act should also provide a framework for regulatory experimentation to trial new approaches and technologies in a controlled manner.

“To ensure the Act remains adaptable and relevant over time, it should support innovation through enabling local trials of automated vehicles and related technologies, including connected infrastructure and dynamic traffic management systems, under temporary or conditional provisions that facilitate testing while managing safety and network integrity.”

– NRMA



Prioritising road safety

We heard that road safety is a top priority for stakeholders but is not clearly reflected in the current Roads Act to align with other road safety outcomes and obligations within the Road Transport Administration Act. Respondents emphasised the need to explicitly recognise the safety of people walking, cycling, using public transport and other vulnerable road users within the legislation.

- Suggestions for improvement included:
- embedding a road user hierarchy that prioritises the safety of the most vulnerable users, particularly people walking and cycling
 - empowering local councils to implement traffic calming measures and reduce speed limits on local streets
 - establishing robust performance monitoring and reporting requirements to track safety outcomes across the road network
 - including safety as a core objective in the objects of the Act to guide decisions and regulatory responsibilities at all levels.

By elevating safety as a foundational purpose of the Act, the reforms could support meaningful reductions in road trauma and contribute to a safer, more inclusive transport system for all users.

‘Road trauma is a significant public health issue in NSW, with someone killed or hospitalised every 50 minutes because of a crash on NSW roads. Our understanding of road safety, and the mechanisms and interventions available to prevent this trauma has progressed a long way since the current *NSW Roads Act 1993* was written. The review provides a much-needed opportunity to modernise the Act, placing safety at its core.’

– Australasian College of Road Safety



What we regulate

The management of roads and road-related activities in NSW serves to balance public access, asset protection, safety and shared use of road space. Roads are not just corridors for vehicle movement. They are multifunctional public assets that support mobility, community life, utilities, development and commerce. Effective regulation is essential to ensure these activities are coordinated, proportionate and aligned with broader planning, transport and environmental objectives.

The *Roads Act 1993* provides the principal legal framework for regulating physical works, structures, and uses within the road reserve. However, this regulatory function intersects with a range of other legislation, including the *Environmental Planning and Assessment Act 1979*, *Local Government Act 1993*, *Transport Administration Act 1988* and utility-specific legislation such as the *Telecommunications Act 1997* (Cth) and *Electricity Supply Act 1995* (NSW). Together, these instruments form a complex legal environment through which road space is governed.

To bring structure and clarity to this system, road management activities can be grouped into four domains of activity as outlined below.

Domain 1 – Network development

This domain involves the planning, opening, realignment and closing of roads. It includes the legal processes for creating public roads, altering road alignments and closing redundant or superseded corridors. These activities are often initiated in response to land use development, network planning objectives or asset lifecycle considerations.

Key legislation includes:

- the *Roads Act 1993*, sections 7–47: Road opening and closing procedures
- the *Environmental Planning and Assessment Act 1979*: Assessment of development impacts on road connectivity
- the *Transport Administration Act 1988*: Network planning and corridor protection functions.

Domain 2 – Assets and structures

This domain encompasses the management of permanent infrastructure located within the road reserve. This includes both roads authority assets such as pavement, signs and signals, and third party structures such as driveways, utility installations and basement encroachments.

Activities within this domain include:

- maintenance and upgrade of road surfaces, footpaths, and drainage
- installation of utility infrastructure such as poles, pits, conduits, hydrants and substations
- driveway connections and property interface structures
- streetscape features such as trees, street furniture and heritage elements.

Relevant legislative powers include:

- the *Roads Act 1993*, particularly section 138 for third party works
- utility legislation such as the *Telecommunications Act 1997*, and *Electricity Supply Act 1995*.
- the *Local Government Act 1993*, section 68: Minor structures and vegetation
- the *Environmental Planning and Assessment Act 1979*: Basement structures and frontage works.



Domain 3 – Temporary and licensed activities

This domain includes activities that occupy the road reserve either temporarily or on an ongoing basis under licence, including works, events, commercial uses and public activations. These activities may be associated with approved developments, utility maintenance, community events or licensed commercial operations.

Common temporary activities include:

- roadworks and utility construction
- scaffolding, hoardings and staging areas
- street vending, kerbside dining and parklets
- community events, festivals and parades
- filming and temporary signage.

Permitting mechanisms include:

- the *Roads Act 1993*, section 138: Works and occupations
- the *Roads Act 1993*, section 144: Event permits
- the *Local Government Act 1993*, sections 68 and 125: Use of public footpaths and land for ongoing dining or vending
- road occupancy licences and works authorisation deeds from Transport: Works on classified roads.

Domain 4 – Access

This domain governs the control of traffic flow and movement on the road network. It includes the installation and operation of signs, signals, line marking, and other traffic control devices, as well as temporary changes associated with events or road works.

Traffic management responsibilities intersect with, and often depend on, regulatory powers exercised in the other three domains. For example, a construction activity (temporary) or utility installation (asset) may necessitate traffic diversion or signal adjustment.

Regulatory instruments include:

- the *Road Transport Act 2013*: Traffic control devices and driver compliance
- the *Roads Act 1993*: section 115: Limited traffic regulation powers
- the *Transport Administration Act 1988*: Transport oversight of traffic management systems
- road occupancy licences, required for works affecting traffic flow.



High Street, Randwick, NSW



M4 Motorway and James Ruse Drive, Clyde, NSW

The current Act
and its limitations

3

The current framework for road governance in NSW has its origins in a period of transformation, when expanding access to motor vehicles enabled new patterns of mobility, economic growth, and regional development.

The *Roads Act 1993* and its predecessors were instrumental in supporting the construction and administration of a vast and significant network of main roads, with a strong emphasis on connectivity, freight movement and road safety. This legacy has made a lasting contribution to the state’s prosperity and quality of life. However, the regulatory framework that enabled this expansion was designed for a different era, one focused primarily on building main roads, rather than managing the diversity of roads and their civic, social and environmental functions.

As policy priorities have evolved to encompass sustainable transport, efficient land use and local economic activity, the existing approach is increasingly misaligned with contemporary road management needs. A range of issues have been identified that now constrain the efficiency, clarity and flexibility of road regulation in NSW.

What’s working

It is important to recognise and safeguard the vital functions and powers afforded to Roads Authorities under the current legislative framework.

Structure and delineation of responsibilities

The current structured approach with Transport serving as the lead authority while Council plays a key role as the road manager for the local network.

‘The Act provides a structured approach for managing roads and setting responsibilities for different authorities. State has more control over the ownership of roads, especially in road safety matters, providing the state with the funding and resources for road safety improvements.’

- Regional council

Requirements to consult

The requirements for roads authorities to interact with the community.

‘The requirement for Council to interact with the public works well, although a strengthening of the power through improved regulation support could improve this matter.’

- Metropolitan council

Outcomes achieved for general traffic

The efficient movement for cars and trucks.

‘While the Act itself is reasonably self-explanatory and robust, we do not see it as hindrance to road usage or closure with reasonable notice. the traffic committee system works well and resolves most any and every issue quickly and easily. Traffic Committees are the tool to link the Roads Act with other desired usages, and in the rural areas this works extremely well.’

- Regional council

Enabling Councils

The way the Act enables Council to be able to undertake their day-to-day operations on Council owned roads – e.g. road works, cleaning, managing vegetation and opening, closing and widening roads.

‘The act is generally fit for purpose noting that the legislative requirement is focused on the relationship with Transport as the main authority and Council being the road manager for the local network on a day-to-day basis.’

- Metropolitan council



Powers to respond in an emergency

Frontline and Emergency Response Systems across the state rely upon the powers conferred under the *Roads Act 1993* to step in and safely carry out necessary road works to resolve critical road incidents and undertake essential emergency management activities. Transport’s coordinated agency response to ex-Tropical Cyclone Alfred lead by the Operations Management Branch (OM) demonstrates the operational value of the *Roads Act 1993* to adequately deal with natural disasters and best serve the people of NSW. Transport’s Operations Management (OM) Branch and their Transport Commanders use the Coordinator General’s functional delegation under the *Roads Act 1993* to step in and perform critical road works during natural disasters.

The OM Branch managed 490 incidents during NSW’s recent ex-Tropical Cyclone Alfred coordinating the transport network safely, setting up road closures, and managing crashes, breakdowns and hazards. The strength of the *Roads Act*’s delegated powers and functions were echoed in the feedback and submissions to the Issues Paper.

Submissions to the Issues Paper highlighted the need for further improvement in dealing with natural disasters under the Act. Transport is working on proposed amendments to the Act to improve roads authorities’ flexibility and efficiency following natural disasters, particularly in providing ‘temporary’ roads when existing roads have been made impassable. Transport is also considering roads authorities capabilities more broadly in times of emergencies, as part of the Review.



Figure 6. Emergency road management during ex-Tropical Cyclone Alfred

‘The Act could better outline how it balances and controls for potential negative health impacts on people from poorly planned and managed roads. Public Health considerations for Roads/Streets include equity of access to food, education, employment, healthcare, noise & vibration, air quality & emissions, overcrowding, severance, social inclusion, safe movement during extreme weather events (heat, fire, flood, storms, snow), sustainable travel modes & right to physical activity.’

– Nepean Blue Mountains Local Health District.



Recognition of all users of roads

Although not originally intended to prioritise private motor vehicles, the *Roads Act 1993* has, in practice, entrenched a vehicle-centric approach to road management. The powers conferred on roads authorities are based on a hierarchy of vehicle-oriented roads and a focus on processes that regulate traffic and maintain vehicle access. As a result, the term ‘traffic’ has become synonymous with cars, and the needs of other road users may be overlooked.

Diversity of road users

A key shortcoming of the current Act is that it does not clearly define or recognise the full diversity of road users and their needs. While the Act refers to a general right of passage or access for ‘members of the public’, this language is vague and has led to inconsistent recognition of different user groups.

Roads and streets, while they must be managed in a way that supports motor vehicle movement, are used for a range of purposes beyond travel. They provide access to property, support deliveries and waste collection, enable utility and service infrastructure, and function as public spaces for walking, cycling, recreation and social connection. In many places, they also serve as biodiversity corridors, contribute to urban cooling and support physical activity and health.

Questions

- a. How should the Roads Act better recognise the needs of different road users, including people walking, cycling, freight operators and people with limited mobility?
- b. How strongly should the Act require consideration of the needs of all road users?
- c. What level of influence should road user cohorts have on decision making and change?
- d. Should there be a road user hierarchy which places vulnerable road user cohorts as top priority for decision-makers to consider?

The different needs of road users

There is an opportunity to use a more inclusive definition of road users, recognising:

- pedestrians across all user cohorts, including people with disability, people with limited mobility, older adults, children and young people, people travelling with prams or luggage, and individuals from culturally and linguistically diverse backgrounds including Aboriginal and Torres Strait Islander peoples
- users of all transport modes, including people walking, cycling and using emerging micro-mobility options, electric vehicle operators, public transport passengers, freight operators, and people driving private cars
- access needs associated with adjacent land uses and infrastructure, including community facilities, utilities, businesses and homes that depend on roads as shared public space.

‘The Act must commit to serving the full spectrum of road users–drivers, riders, cyclists, pedestrians, public transport passengers, heavy/freight operators, and users of emerging micro mobility devices – through an integrated, inclusive, and human-centred approach.’

– NRMA

User outcomes are unclear

The current Act lacks mechanisms to set and deliver outcomes and objectives for road users. The Act has no objectives related to user safety, accessibility, comfort or place amenity. Without these objectives, roads authorities are not guided by an agreed vision of public value or user outcomes. For example, safe access for people of all ages and bicycle riding abilities is generally not provided where speeds are unsafe to ride in mixed traffic. Instead, roads authorities rely on vehicle-centric metrics, established norms and common practice.

Regulatory processes also rely heavily on prescriptive inputs rather than measurable outcomes for road users. The Act doesn’t provide mechanisms for performance indicators, outcomes monitoring or adaptive governance. The focus on rules and process-based compliance makes it difficult to assess whether regulation is meeting the needs of road users and the community.



Classification and the role of roads and streets

Roads Act classification creates uncertainty about the role of roads and confuses the responsibilities and powers of state and local roads authorities.

Uncertain role of roads

Vehicle-oriented classification does not adequately address all road users and uses. The classification system is largely focused on the 10 per cent of the network with a higher-speed vehicle movement function and is largely unrepresentative of the majority of the network that requires a multimodal and context-sensitive management framework. In this regard, the Act fails to recognise the crucial social, economic and environmental roles of streets, which account for 80 per cent of the road network (BITRE 2023) and often the vast majority of public spaces in urban areas. This oversight limits the functions of road management to vehicle-oriented processes and fails to recognise the diverse functions of roads and streets.

Questions

- a. How should the classification system more clearly delineate the boundaries of responsibility for roads authorities?
- b. How should the classification or planning system embed the Design of Roads and Streets guidance through objectives for the form and function of roads and streets?
- c. Should there be a road user hierarchy which places vulnerable road user cohorts as top priority for decision-makers to consider?

Uncertain roles and responsibilities

The responsibilities and powers of roads authorities are often confused in the classification system. Responsibilities for road assets, their maintenance and access controls are confused by multiple authorities and competing powers over network management. The overlay of administrative categorisation has added to the complexity and confusion of roles and responsibilities. This lack of clarity can delay decisions or maintenance, resulting in safety risks, more severe damage and higher repair costs.

Unclear terminology

The current classification system uses functional terms such as freeway, transitway, main road and secondary road. However, these terms provide little insight into what powers they give roads authorities or what responsibilities come with them.

A separate administrative system uses jurisdictional language, such as state, regional and local roads. This system is primarily designed for funding assistance, not regulatory powers, and doesn't align well with the legal classification system in the Act.

The result is a mix of terminology that doesn't match how people commonly understand these terms or how the Act actually functions.



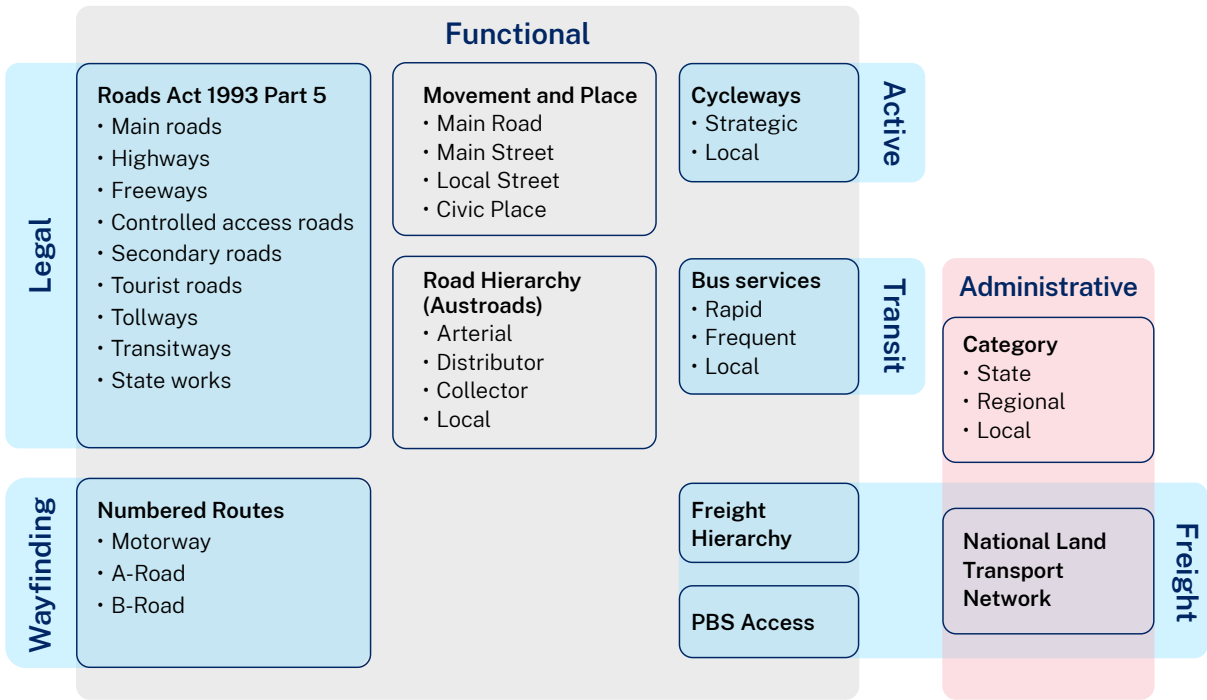


Figure 7. Overuse of vehicle-oriented functional terminology in road classification systems



Road planning

The *Roads Act 1993* has no statutory framework for road network planning, which can lead to operational interests guiding decision making rather than strategic planning and whole-of-government outcomes.

Lack of future-focused outcomes

Current road network planning is not recognised in the Act, which emphasises procedural compliance and approvals, rather than integrated, forward planning. This results in a system that is often reactionary to urban development, network demand and mobility issues, rather than proactively shaping and supporting the broader integrated transport system. A key shortcoming is the absence of statutory obligations for roads authorities to comply with comprehensive, strategic transport planning. As a result, planning and investment are fragmented and inconsistent, which may lead to inefficiencies and missed opportunities for integrated land use and transport development.

The *Roads Act 1993* could better reflect the [Guide to Transport Impact Assessment \(2024\)](#). This guidance focuses on integrating transport planning with broader policy goals including mode shift, accessibility, sustainability and safety. It emphasises a multimodal and place-based approach that considers the impacts of development across all transport modes and encourages travel demand management and sustainable transport choices.

Disconnected planning and road approvals

The current framework creates a disconnect between land use planning approvals and roads authority approvals. Complying development often receives planning approval without early assessment of its impact on the road network. Road access approvals, such as for driveways and road works, are typically sought after planning consent has been granted.

This sequential approach creates risks for developers, who may invest in detailed design work based on initial approvals, only to face major revisions when roads authorities later conduct their assessment. The disconnected process can delay project delivery, require costly redesigns, and result in inconsistencies between planning conditions and road access requirements. These issues are particularly acute in established urban areas where cumulative impacts on the road network are complex.

Questions

- a. Should statutory land use planning changes trigger a road planning review to ensure alignment between transport and development outcomes?
- b. How can the *Roads Act* better support coordination between land use assessment and road access, road infrastructure and road works?



Woolgoolga to Ballina Pacific Highway upgrade, Richmond River, Broadwater, NSW



Decision making

Misaligned powers and responsibility

The *Roads Act 1993* embeds a regulatory model in which Transport maintains central oversight through direct involvement in many operational and project-level decisions. This approach generates duplicated effort, excessive documentation requirements, inconsistent assessments and blurred accountability. Councils may be held responsible for outcomes they are not empowered to influence, while some may avoid responsibility due to unclear boundaries of authority. Local Traffic Committees/Local Transport Forums can further complicate governance, combining varying levels of technical and non-technical representation with ambiguous authority.

The legislation does not provide clear hierarchies to resolve overlapping responsibilities between roads authorities, utilities and other infrastructure agencies. There is no consistent delegation framework, structured assessment protocol, or dispute resolution mechanism. Split consent responsibilities, particularly for classified roads, lead to inconsistent interpretations and delays, contributing to regional variation and regulatory uncertainty.

Lack of decision-making boundaries and evaluation criteria

Decision-making processes lack clear objectives and are often guided by past decisions rather established criteria. Many regulatory decisions prioritise vehicle movement and travel time savings, even in contexts where pedestrian safety, land use integration and public amenity should prevail. As a result, streets are often managed as vehicle movement corridors rather than multifunctional public spaces.

There is also no independent oversight where Transport acts as a roads authority, nor a review body for road-related regulatory decisions. Performance monitoring, funding decisions and compliance reporting are

conducted in the same governance arrangements that manage and develop the classified roads network. Unlike other essential infrastructure sectors such as water, energy and health, there is no system-level regulator or framework to evaluate whether road network assets are being used efficiently, equitably or strategically.

Outdated community engagement

Public engagement requirements remain outdated and ineffective. Statutory obligations to advertise in local newspapers are no longer aligned with how communities access information. Broader transparency and appeal rights are also limited.

Together, these institutional, legislative and procedural deficiencies constrain the ability of roads authorities to make efficient, fair and outcomes-focused decisions.

‘It is often unclear which authority is responsible for managing road safety, maintaining road infrastructure, and overseeing specific projects. These ambiguities can lead to inefficiencies in decision-making, duplication of efforts, or gaps in service delivery, especially in areas where different authorities overlap or fail to communicate effectively.’

– Leeton Shire Council

Questions

- a. Are local roads authorities currently appropriately empowered to fulfil their role and responsibilities in managing local roads? If not, what would better enable them?



Regulated third party activities

The current regulatory framework under the *Roads Act 1993* presents significant challenges in the management of third party activities within the road corridor, including utility works, construction access and community-led events. The absence of a coherent and integrated permitting system contributes to repeated disruptions, road degradation and inefficient reinstatement practices that increase costs and undermine public confidence.

Inconsistent processes and administrative burden

Administrative processes are fragmented with over 128 differing procedures and interpretations across roads authorities. This results in inconsistent terminology, unclear requirements and delays for applicants, particularly for businesses and utilities operating across multiple council areas.

Lack of quality assurance and enforcement tools

The framework also lacks robust quality assurance mechanisms. There are no consistent requirements for financial securities for restoration works, standardised inspection protocols, scalable enforcement tools or contractor pre-qualification. This weakens the capacity of roads authorities to enforce quality outcomes and increases the risk of substandard work, including uneven footpath finishes, premature asset failures and unsafe road conditions. In many cases, the financial burden of rectifying poor workmanship is borne by councils and ratepayers rather than those responsible.

Barriers to community use of roads

The regulatory framework is poorly equipped to support community-based activities that contribute to vibrancy and local economic activity. Recent NSW Government priorities, including the [Vibrancy Reforms](#), seek to activate public spaces through outdoor dining, street events and community initiatives. However, current regulatory settings slow delivery of these outcomes for councils and communities. The approval processes for temporary road activities are often complex, inconsistent and lack clear risk-based assessment criteria. As a result, opportunities for locally led place making and activation are missed or delayed.

Cost recovery

The *Roads Act 1993* allows roads authorities to charge fees for 'services it provides' under section 223. However, this wording is too narrow to support cost recovery for the broader range of regulatory functions undertaken by Transport and other roads authorities. Many of these activities, such as access approvals, corridor impact assessments and development-related conditions, are not easily characterised as commercial service delivery. As a result, Transport often performs these functions without recovering costs, placing financial pressure on its ability to deliver essential regulatory roles.

Beyond the limitations of the power itself, there is no consistent or transparent framework for how fees should be set or applied across roads authorities. Councils are guided by the *Local Government Act 1993* and the Office of Local Government's Practice Note 25, which outline principles for cost recovery and community engagement. No equivalent framework exists for Transport or other non-council authorities. This results in inconsistent fee structures, inequitable treatment of similar activities, and limited capacity to manage regulatory effort or prioritise resources.

Modernising the *Roads Act* to explicitly support cost recovery for regulatory functions and to provide a clear, consistent pricing framework could improve fairness, strengthen efficiency and support the long-term financial sustainability of road governance across NSW.



Compliance

The current compliance framework under the *Roads Act 1993* is outdated, limited in scope, and poorly aligned with modern regulatory expectations for fairness, efficiency and proportionality. The Act relies on regulatory penalties that are costly to administer, slow to enforce, and inadequate as a deterrent due to outdated penalty values and a narrow range of offences. This reliance on prosecution makes enforcement inaccessible for many breaches, leading to limited accountability for roads authorities, third parties and contractors undertaking works on the road network.

Lack of enforcement mechanisms

There are few practical tools for enforcing compliance across the lifecycle of road activities, from planning and approvals through to construction and restoration. Unlike other infrastructure sectors such as water, energy and environmental management, the *Roads Act* does not provide administrative or civil penalty mechanisms, performance-based enforcement tools, or routine monitoring of compliance. As a result, breaches often go undetected or unaddressed.

The current framework also fails to address compliance by roads authorities themselves. For example, local councils may act outside the scope of their statutory powers or disregard ministerial directions without consequence. In a context where decision making is increasingly devolved, the absence of mechanisms to ensure public accountability for roads authorities represents a major gap in the regulatory system.

Fragmentation with related statutes further complicates enforcement. Key compliance functions, such as issuing stop work orders or remediation notices, are often exercised under planning, environmental or land legislation rather than the *Roads Act*. This leads to duplication, legal uncertainty and increased enforcement costs. It also undermines the ability of the *Roads Act* to function as the primary regulatory tool for managing the public road network.



Crown roads

Crown roads are often referred to as paper roads or road reserves as they are often unformed and difficult to recognise as roads or streets on the ground. In other cases, they can be recognised as unsealed tracks in rural settings, formed laneways in urban settings, or even city streets that are being actively managed by a local council, despite their status as a Crown road.

This Options Paper has largely described the Act and its limitations in terms of the management of roads and streets by councils and Transport as roads authorities for the road network. Some of these limitations are also evident in relation to Crown roads and compounded by a lack of clarity regarding the status of Crown roads and lack of understanding of the function of Crown Lands as a road authority.



Figure 8. Crown roads (grey hatching) providing unsealed access for private land, connection to the local road network and an unformed Crown road (Nambucca Valley Local Government Area)

While the above anecdotal facts are known, precise data on Crown roads is limited and work is needed to gain a complete understanding of the condition, use and status of all Crown roads to inform future decision making.

Status and function poorly understood

While the Roads Act defines all Crown roads as public roads, they are not constructed, maintained or planned for in the same way as other public roads. Crown Lands, the administering authority, is not funded or equipped to deliver traditional road services such as construction and maintenance in the same way as other roads authorities.

Governance of Crown roads can become fragmented and unclear, especially when there are different views among roads authorities about who is best suited to manage a particular Crown road. The situation is compounded by Crown Lands not being integrated into broader transport planning processes. The absence of robust data and clear accountability can further hamper efficient oversight and management of Crown roads. To add to this complexity, native title claims have been lodged over some Crown roads and in some cases Crown roads have also been reserved as Crown land meaning they could be subject to Aboriginal land claims.

However, Transport can and is obliged to make key decisions under the *Roads Act 1993* and Road Transport Act 2013, such as all controls on speed zones, traffic signals, signs and line markings. It can also exercise the functions of a roads authority on classified roads under section 64 of the *Roads Act 1993*, and may be appointed as the roads authority for any specified public road (excluding freeways, for which it already is the roads authority under section 7(1), and Crown roads) by regulation under section 7(3). The Minister may, by order published in the Gazette, transfer a public road (other than a Crown road) from one roads authority to another, but only if each consents to the transfer, under section 150.

The concept of the ‘roads authority’, once central to the Act, has lost much of its functional meaning. It remains a legal designation without the necessary powers or clarity to support integrated road management.

Another layer of complexity is added when a road is on land that is managed by an organisation that is not a road authority. This includes State Government agencies like National Parks, State Forests and Greater Sydney Parklands. It also includes land owned by Aboriginal Land Councils.



Ownership and responsibility

Misaligned authority and responsibility

The current management of roads in NSW is marked by misalignment between ownership, legal authority, operational responsibility and practical control. Local councils own the majority of road reserves and are designated as the roads authority for most classified roads under section 7(1)(a) of the *Roads Act 1993*. This includes nearly all state roads, despite widespread assumptions that these are under direct State control. As roads authorities, councils are largely responsible for the condition, safety and operational performance of these roads.

Classification and categorisation

This governance fragmentation is further compounded by overlapping and non-statutory classification systems. A road might be legally classified as a main road (implying state significance), administratively categorised as a regional road (implying shared responsibility), and contractually maintained by a council, yet effectively controlled by the State. These arrangements blur accountability, delay decisions, and make responsibilities unclear.

Another layer of complexity is added when a road is on land that is managed by an organisation that is not a road authority. This includes State Government agencies like National Parks, State Forests and Greater Sydney Parklands. It also includes land owned by Aboriginal Land Councils.





Traffic management

Limited powers to manage traffic

The tools and powers to manage traffic in NSW are split across the *Roads Act 1993* and the Road Transport Act 2013. The *Roads Act 1993* confers powers to local roads authorities to regulate traffic using notices and barriers for specified purposes relating primarily to road work, maintenance and the protection of roads from damage and users from hazards. Simultaneously, the Road Transport Act 2013 provides that authorisation is required from Transport for use of ‘prescribed traffic control devices’, which include many other means of regulating traffic, such as signs, lines and traffic control signals mentioned in the Road Rules 2014, regardless of purpose or context.

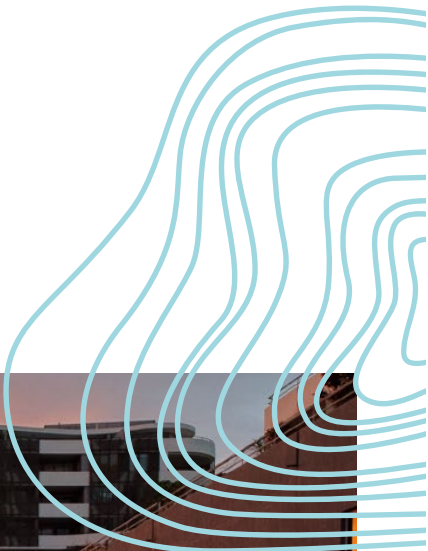
This misalignment of powers and responsibilities reduces the capacity of local roads authorities to manage their networks in a responsive and integrated manner. It has led to the creation of a process-oriented decision-making model deferential to centralised power. Administrative workarounds, such as Transport’s longstanding delegations (and authorisation) to councils (and consequent Local Traffic Committee – now Local Transport Forum – system), have created resource-intensive processes that have, until recently, obliged Transport’s involvement in all sorts of road management decisions all the way down to matters as basic as parking controls.

Different approaches for roads and streets

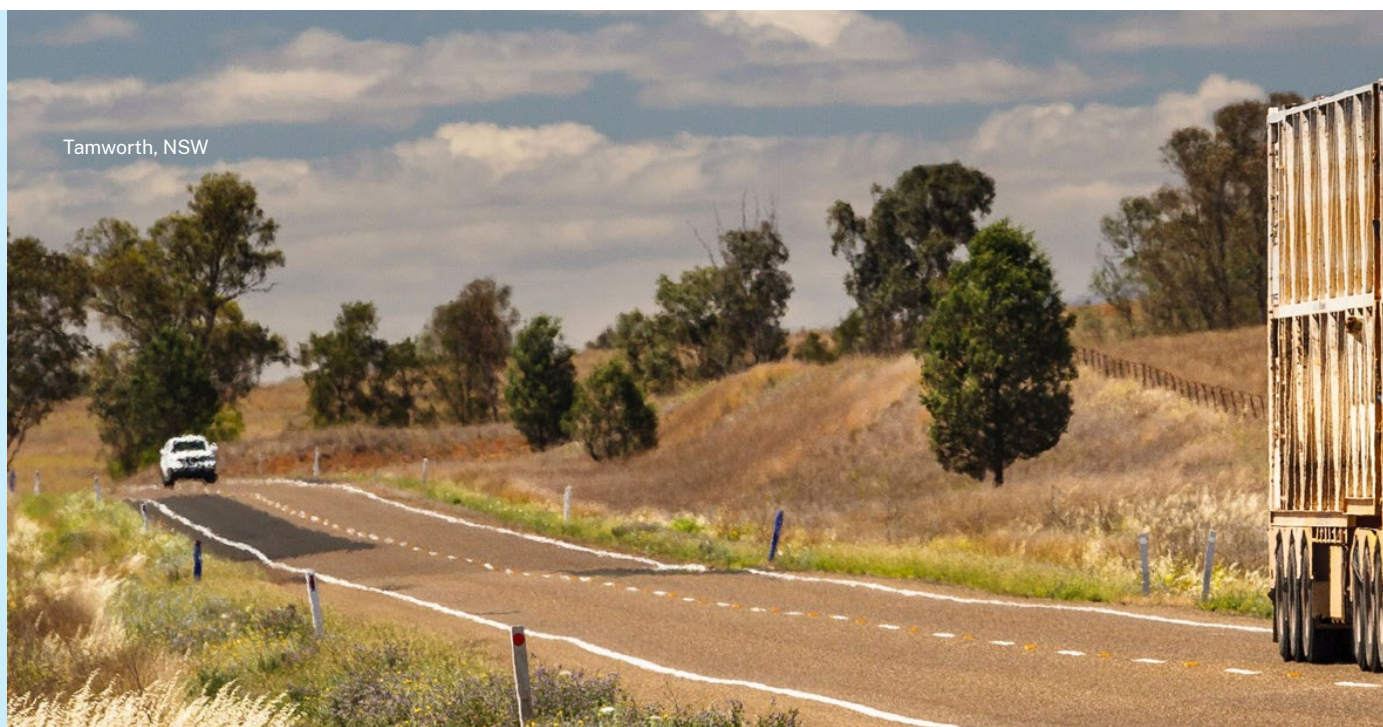
The current regulatory system does not distinguish between ‘roads’ and ‘streets’. Road environments achieve safety through separating traffic, maintaining predictable driving conditions, and avoiding conflict and interaction. In contrast, streets achieve safer outcomes by prioritising vulnerable road users, reducing speeds to survivable levels, and encouraging interaction between people driving, walking and cycling (Transport for NSW, 2024b).

The Roads Act doesn’t recognise this network dichotomy, often resulting in high-speed design principles being applied in slow-speed mixed traffic environments. This approach makes streets less safe, uninviting to walking and cycling, and unpleasant for the surrounding community.

A modern regulatory framework requires context-sensitive responses that recognise the dichotomy of roads and streets and support both the movement and place functions of the road network.



Open Streets program, Brighton-Le-Sands, NSW



Tamworth, NSW

Best practice regulation

Effective regulation provides clarity, accountability and confidence that public outcomes will be achieved. Reform under the review is being guided by well-established frameworks for regulatory best practice, drawing on local and international sources, including:

- TPP19-01 Guide to Better Regulation (NSW Treasury 2019)
- Guidance for Regulators to Implement Outcomes and Risk-Based Regulation (NSW Government, 2016)
- Best Practice Principles for Regulatory Impact Assessment (OECD, 2020).

These documents provide clear and practical frameworks for building a modern regulatory system that is coherent, proportionate, risk-based and focused on delivering public outcomes.

Outcomes-based regulation

The NSW Government's guidance places central focus on outcomes-based regulation. Regulators should clearly define the public objectives they are seeking to achieve and use those outcomes to guide decisions, allocate resources and engage with stakeholders.

Clearly defined regulatory outcomes:

- anchor decision making and resource allocation
- support risk-based and proportionate responses
- improve transparency and accountability
- enable better coordination across agencies.

This ensures regulation focuses on public value rather than process compliance.

Risk-based regulation

The OECD and NSW Government guidance both emphasise scaling regulatory effort in proportion to risk. This involves identifying risks to public outcomes and applying more intensive controls where likelihood or consequence of harm is greater. A risk-based approach includes:

- differentiated treatment of activities based on complexity, scale and impact
- tiered regulatory mechanisms for high-risk interventions
- simplified pathways for lower-risk, routine matters.

This allows systems to operate efficiently while directing effort where it matters most.

Regulatory maturity

The guidance suggests regulatory systems evolve from reactive, ad hoc responses towards strategic, outcome-focused approaches. More mature systems demonstrate:

- clear contribution stories linking regulatory activities to intended outcomes
- risk-based resource allocation and enforcement responses
- integration of planning, monitoring and continuous improvement
- evidence-based decision making and stakeholder engagement.



Transport have adapted this guidance into the regulatory maturity framework that classifies regulatory practice along a spectrum:

Level	Title	Description	Key characteristics
Level 1	Reactive (ad hoc)	Regulation is reactive, inconsistent and focused on incident response or political pressure	No clear framework, ad hoc decisions, weak data
Level 2	Rules-based (compliance-focused)	Regulation relies on detailed rules and prescriptive enforcement	Focus on inputs and activities, not outcomes
Level 3	Risk-based (proportional and targeted)	Regulation prioritises based on likelihood and severity of harm	Risk assessments, prioritised interventions, procedural consistency
Level 4	Performance-based (outcomes-oriented)	Regulation focuses on measurable outcomes rather than prescriptive inputs	Regulated entities given flexibility to meet standards, focus on results
Level 5	Strategic (system stewardship)	Regulation integrates planning, data, public value and long-term system goals	Strategic foresight, stakeholder co-design, cross-sector alignment

Implementation and coordination

Effective regulation requires coherent implementation planning, stakeholder consultation and performance monitoring. The TPP19-01 framework emphasises that regulatory proposals must demonstrate how they will be implemented and reviewed.

Key elements include:

- clear roles and responsibilities for implementation
- meaningful consultation throughout the regulatory development process
- performance indicators based on regulatory objectives rather than just outputs
- regular review to ensure continued efficiency and effectiveness.



Doncaster Avenue cycleway, Kensington, NSW

A pathway to reform
for roads regulation
in NSW

4

Establishing an outcomes framework

Effective regulation of roads is essential to achieving high-quality outcomes for customers, communities and the economy. Roads are more than transport infrastructure. They support mobility, access, safety, social connection and economic activity. To manage this complexity, road regulation must be clear in purpose, proportionate to risk, and focused on delivering outcomes that matter to people.

Stakeholders have raised concerns that the current regulatory system is overly prescriptive and not clearly aligned with the outcomes it is intended to achieve. Feedback from councils, industry, and community representatives has highlighted a strong need for a more outcomes-focused regulatory framework.

The following table describes the proposed regulatory outcomes:

Table 2. Proposed regulatory outcomes

Outcome	Description
Universal access	Ensure the right of passage and access for all people
Safety	Provide a safe road system for all road users
Wellbeing	Support the physical, mental and social wellbeing of communities through equitable, safe and pleasant streetscapes
Efficiency	Manage the network to support the space-efficient and reliable movement of people and goods
Productivity	Support economic activity, including freight movement, deliveries, servicing, vibrancy and place activity
Sustainability	Promote sustainable travel choices and the efficient use of energy, materials and land
Resilience	Enable the road network to withstand, adapt to and recover from disruption and a changing climate
Environmental protection	Protect the built and natural environment from degradation or harm
Asset protection	Prevent premature deterioration, structural damage and excessive wear
Orderly development	Coordinate road network development with land use, public transport and multimodal movement
Financial responsibility	Develop and manage the road network in a way that makes the best use of public funds

Regulatory outcomes

The following proposed set of regulatory outcomes seek to clarify what the road regulation system should ultimately achieve.

The purpose statement and outcomes will frame the refinement and evaluation of the regulatory approach. These statements are expected to inform an update to the objects of the Act, ensuring the legislation reflects the strategic purpose and public value of the road network. Long term, these outcomes could be used to measure outcomes, quantify roads authority performance, and potentially set service level targets.

Proposed purpose statement

‘To manage the road network in a way that ensures safe, efficient, and equitable access for all users; supports economic productivity and community wellbeing; promotes sustainable travel choices and efficient use of resources; protects the natural and built environments; and coordinates infrastructure and land use to enable sustainable, orderly development.’

Future regulation can incorporate these principles by:

- defining the need for clear and measurable regulatory outcomes
- embedding these outcomes in the objects of the Act and in statutory road network plans
- aligning decision-making powers and compliance mechanisms with these outcomes.

This approach ensures that regulation is focused on public value, not process, and supports greater transparency and accountability.

Three regulatory models to deliver these outcomes

Three alternative regulatory models are presented for consideration and feedback. Each model offers a different approach to structuring legislative powers, institutional responsibilities and regulatory tools to support a more coherent, risk-based and outcome-focused road management framework.

Each of the proposed models represents a different stage along a regulatory maturity continuum, from codifying current practice to more advanced, outcomes-based and institutionally integrated governance. While each offers distinct benefits, they also vary in the level of reform complexity, implementation impact and resourcing required.

- Model 1: Codify current practice** – retains the current legislative structure with targeted improvements but avoids deeper structural reform.
- Model 2: Plan-led framework** – replaces the current classification system with statutory road network plans that allocate powers and responsibilities based on agreed objectives and spatial context.
- Model 3: Institutional change** – introduces a clear separation between regulatory and operational roles within Transport enabling strategic oversight of the entire road network.

These models are alternative configurations of the legislative framework, rather than sequential stages. They stand alone as frameworks for reform, however, could also be implemented in phases to deliver more substantial changes over time.

Models 2 and 3 are more ambitious in their scope with more significant changes to the ways of working for the Transport Planning industry. While these models represent comprehensive reform approaches, they could be implemented in phases, allowing time for the industry to properly adjust. This approach could emulate the successful approach used in land use planning reforms during the 2010s.

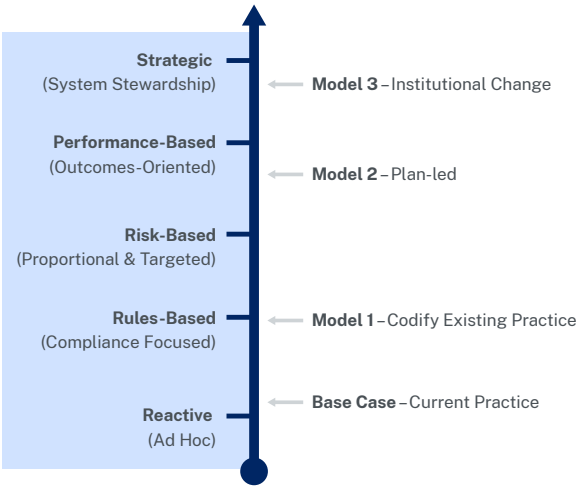


Figure 9. Regulatory maturity and three proposed models

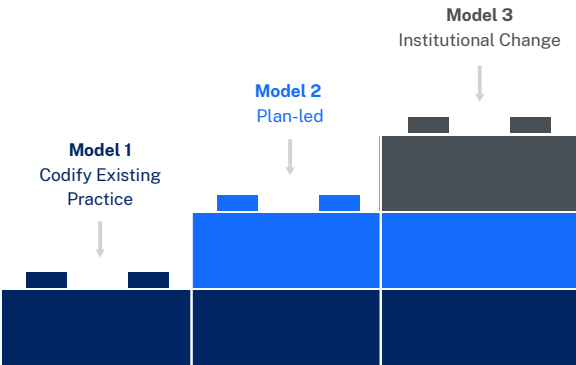


Figure 10. Each model is independent and can also build on other reforms

The following three sections provide a detailed explanation of each model, presenting the key areas of reform, implications for the Act and other regulatory changes, and the potential regulatory maturity level (that is, the regulatory performance) of each model. Following the models, supporting mechanisms are considered. These are tools and practices that could be implemented regardless of which regulatory model is adopted.



Efficiency and equity of outcomes

The efficiency and equity of outcomes are integral to the broader outcomes approach, ensuring that the road network not only facilitates effective movement but also distributes benefits fairly among all users and stakeholders. For decades, we have measured road efficiency primarily by how quickly vehicles can move through the network. This approach developed when roads authorities were focused on building and expanding a strategic road network to reduce travel times and ease congestion.

While this vehicle-focused approach served NSW well during rapid growth in car ownership, it no longer aligns with modern transport policy priorities. Today, transport efficiency means more than just moving vehicles quickly, it means how effectively the system helps people and goods reach important destinations, and reduces the cost and distances travelled (Geurs, K.T. & van Wee, B. 2004, Levinson, D.M. & Krizek, K.J. 2008, Boisjoly, G. & El-Geneidy, A. 2017).

A broader view of efficiency

Modern transport efficiency recognises the importance of accessibility. This includes how well land use planning integrates with transport, how close people live to essential services, and whether diverse, space-efficient travel options are available.

Well-designed urban areas with good public transport connections can reduce overall travel demand and support sustainable transport modes such as walking, cycling and public transport (Cervero, R. 2003, Mulley, C. 2014). These approaches make better use of existing infrastructure, reduce the need for expensive new roads, and deliver better financial and environmental outcomes.

Ensuring fairness for all road users

Efficiency must work alongside equity. The road network serves many different users, including people walking, cycling, driving, using public transport, operating freight, adjacent landowners, utilities, local businesses and communities. Roads also support important place functions, such as public seating, shade trees, stormwater management and commercial activity, that contribute to wellbeing and local character.

A modern regulatory framework must ensure that the benefits and costs of road regulation are distributed fairly (Van Wee, B., Geurs, K.T., & Chorus, C. 2013, Litman, T. 2021, Newman, P. & Kenworthy, J. 2015). It should recognise the legitimate needs of all users and stakeholders, and ensure that decision-making processes are transparent, inclusive and proportionate to the varied functions of roads and streets.

By embedding this broader understanding of efficiency and equity into future regulation, the road network can better support economic productivity, environmental sustainability and community wellbeing across NSW.



University of
Wollongong,
NSW



Gocup Road,
Gocup, NSW

Model 1:
Codification of
current practice

5

Clarify existing rules-based regulation

This model adopts a rules-based regulatory approach that codifies current practice into a more coherent, transparent and accessible framework. It consolidates the existing patchwork of delegations, authorisations, administrative arrangements and bilateral agreements into a simplified legal and regulatory system. While not making significant or wholesale reallocation of powers between Transport and local councils, it seeks to provide clarity, consistency and efficiency through simplification, standardisation and improved documentation.

There is significant opportunity under this model to simplify and streamline the varied processes used across roads authorities. Common administrative functions could be standardised and supported through updated guidance, consistent terminology and shared digital tools. Improvements to public transparency and operational efficiency could also be achieved by modernising how key information is published and accessed. For example, road classifications could be mapped spatially through an online map rather than appearing in a PDF schedule or gazetted notices.

While this model maintains the existing structure of road regulation, it improves its usability and reliability, and provides a foundation for consistent implementation without requiring major shifts in institutional roles or legislative principles.

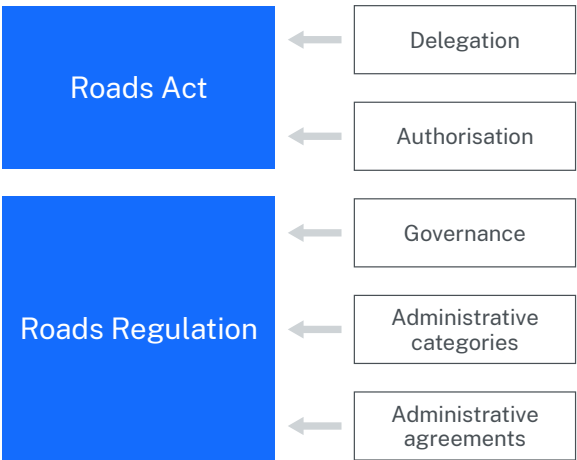


Figure 11. Model 1: Codify current practice into the Act and regulations

‘Local councils are uniquely positioned to manage local roads due to [their] understanding of local conditions and ability to act swiftly to enact change.’

– Blacktown City Council

Key reform: Clarify ownership and responsibility

This model restores meaning and purpose to the term ‘roads authority’ by aligning ownership and responsibility with powers and resources. It simplifies the road classification system to improve clarity, accountability and regulatory coherence. All roads in NSW could be classified as either a state road or local road, with this classification serving as the legal basis for ownership and the exercise of roads authority functions. This could codify current arrangements, under which Transport assumes responsibility for the development, management and maintenance of state roads, and councils (and other local authorities) own and manage all other public roads. By administrative convention, the state roads authority only assumes responsibility for the carriageway, shoulder and drainage of state roads, while other road assets such as footpaths and parking lanes are managed and maintained by councils.

The proposed binary classification of state and local roads removes ambiguity about who owns, manages and is accountable for each road, replacing the current mix of functional and administrative categories with a single, legally meaningful distinction based on principal boundaries of responsibility.

Other classifications such as freeway, main road or transitway would have less significance for ownership or core regulatory powers. However, these terms may still be used where necessary, such as access restrictions on declared freeways or transitways.

The administrative categorisation of state, regional and local roads would no longer be needed. Management responsibility could instead be determined directly by classification. A distinction is made between regulatory classification and funding eligibility, while retaining existing funding and maintenance responsibilities.

This approach could eliminate the need for concurrent approvals and the double handling of regulatory processes from state and local roads authorities. The state roads authority could have sole discretion over the regulation of traffic, road access, events and activities on state roads. Importantly, this approach redefines the role of councils in relation to state roads. Councils would no longer be the owner and roads authority for classified state roads. Instead, they would be third parties for the purpose of carrying out works, regulating traffic or placing structures and assets within a state road corridor. Any activity by council would require consent or contractual arrangements with the state roads authority. Routine responsibilities such as verge maintenance (footpaths and parking lanes in urban areas) would be codified in regulation to reflect existing practice while

providing a consistent legal foundation for ongoing maintenance arrangements. Other classifications and regulations would protect local interests and place activity, particularly where state roads perform main street functions in metropolitan and regional contexts.

Together, these changes provide a simpler and more transparent framework for determining road ownership, assigning statutory responsibilities and coordinating investment across the state and local road networks. By clarifying legal responsibility and separating classification from funding, the model supports more efficient decision making, stronger accountability and improved coordination between local and State government.

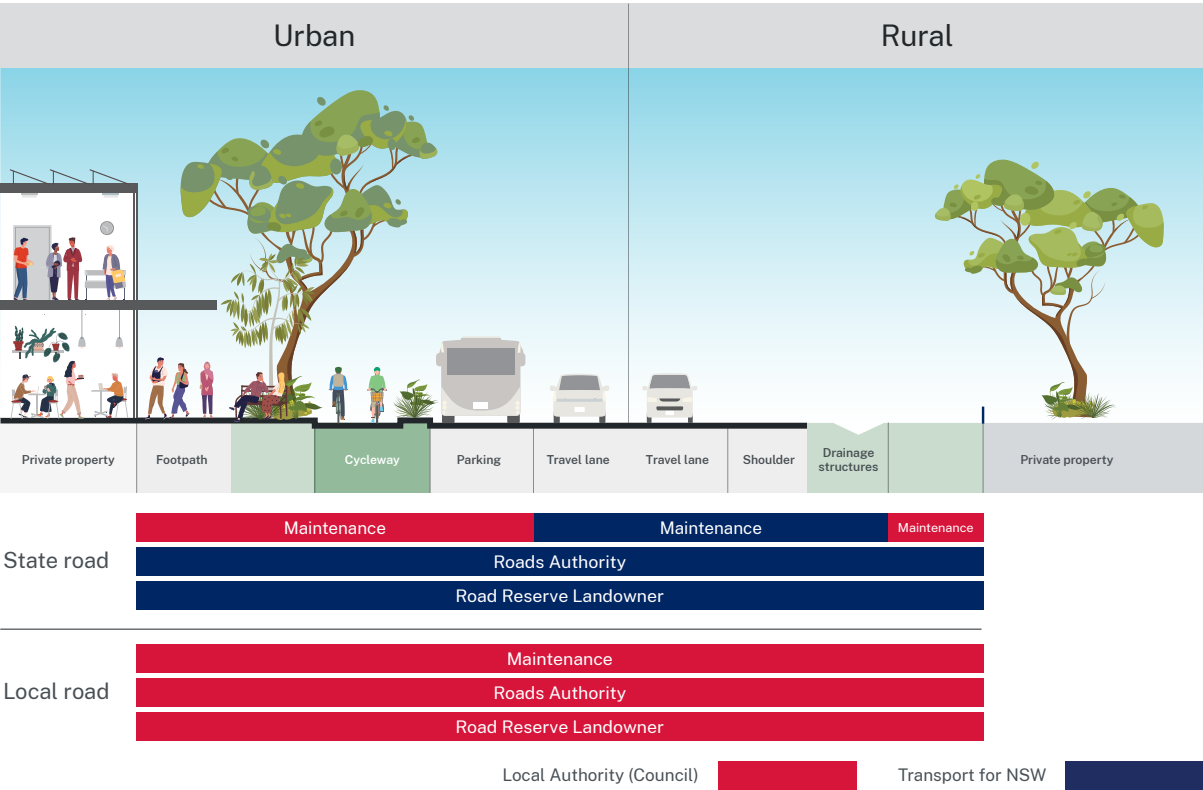


Figure 12. Road section illustrating division of roads authority responsibilities

Implications of this reform

The features outlined below could give effect to this model across the following areas of road management.



Road users

Expanded objectives: The objects of the Act could be updated to explicitly recognise the full range of road users and uses, including people walking or cycling, utilities, community events and place-based activity.

No formal user hierarchy: The Act could require consideration of all users in decision making but may not define priority modes or road user hierarchies.

Supporting guidance: Non-statutory guidance could assist roads authorities to consider all users, including in the context of competing functions and modal conflicts.



Classification and the role of roads and streets

Clearer terminology: State and local classifications could designate ownership, management and primary maintenance responsibilities.

Minimal change: Other classification categories may remain unchanged. Functional classifications such as freeway, main road and secondary road could be retained as needed to set movement and place objectives and controls.

Road segment responsibilities: Responsibilities for carriageway and verge could be formalised into the Act and regulations.

Separate administrative categorisation: Administrative categorisation for funding assistance purposes, such as regional road funding, could be relocated from the *Roads Act 1993* to a schedule under the *Transport Administration Act 1988*, providing a clearer separation between regulatory powers and funding arrangements.

Geographic information system (GIS) mapping: Classification data could be publicly accessible using a GIS-enabled mapping system to improve clarity for roads authorities, utilities, developers and the broader community.

Boundaries of responsibility: Road classification could determine ownership and allocation of powers for the entire corridor, including the carriageway and verge. To reflect current practice on state roads, maintenance responsibilities for parking lanes and the verge could be assigned to the local roads authority through regulation.

‘There has been a paradigm shift in transport management and planning... from a more traditional vehicle-based approach to one that recognises a broader use of roads and streets, not only for movement but placemaking outcomes’

– Wollongong City Council



Decision making

Clarity of responsibilities and expanded local discretion: Existing delegations and authorisations would be codified into the Act and regulations. Local roads authorities could be empowered to regulate traffic and use prescribed traffic control devices on local roads at their discretion.

Retained powers and oversight: Transport retains primary authority over traffic signals and traffic regulation on state roads as per current legislation and delegations, preserving State interests within a clarified framework.

Defined escalation pathways: A limited range of decisions, typically those involving state roads or higher-risk activities, could require referral to a forum similar to the long-standing Local Traffic Committee/Local Transport Forum, but revised with a narrowed, better-defined scope aligned to set criteria rather than minor asset decisions.

Integrated roadwork notifications: Notification requirements and a shared digital portal could allow roads authorities and third parties to register planned works supporting better coordination.



Road planning

Integrated mapping: A GIS-based map of classified roads could be maintained by Transport, becoming the definitive spatial record of road classifications.

Publicly accessible data: Mapping could be hosted on the NSW Planning Portal and aligned with land use zones, corridor protection areas and other statutory plans.

No change to statutory planning mechanisms: This model does not introduce new road network plans or spatial planning tools. Instead, it improves access to existing information and supports better alignment with land use planning systems.



Regulated third party activities

Practice guidelines: Clarify the interpretation of legislative provisions, jurisdictional boundaries and common procedural issues.

Standardised processes: Provide model forms, assessment pathways and approval conditions for regulated activities such as utility works, outdoor dining and scaffolding.

Centralised digital portal: Enable online lodgement, scheduling and tracking of third party activities in the road reserve, supporting transparency and coordination across authorities.

Risk-based assessments: Establish tiered assessment frameworks to streamline approval of low-risk, routine activities while ensuring adequate scrutiny of complex or high-impact works.

Voluntary codes of practice: Promote quality, safety and restoration standards across industry operators through optional codes supported by roads authorities.



Access approvals

Consent authority clarity: The model could codify and publicly identify which entity is the roads authority and consent authority for each road, eliminating ambiguity and the need for concurrent or overlapping approvals. Applicants would have more certainty about who makes access decisions, with clear assessment pathways for state and local roads.

Requirements clarity: Improved permitting processes could include standardised application templates, technical guidelines and model conditions of consent. These tools could support consistent and transparent decision making across jurisdictions, reduce administrative burden and lower approval risk for applicants by clarifying expectations upfront.



Road funding

No change to existing road funding responsibilities:

This model preserves current funding allocations unless separately reformed. Regulatory changes do not alter who pays for what.

Clear separation of funding and regulation:

Administrative categorisation for funding purposes could be decoupled from regulatory classification, potentially being placed under the Transport Administration Act.

Asset maintenance obligations: The model retains existing responsibilities for road maintenance and asset management. Local councils and state agencies could continue to maintain the assets for which they are currently responsible. Regulatory reforms would not alter ownership, legal duties or operational obligations relating to asset condition, safety or lifecycle management.



Oversight

Rules-based foundation: This model establishes a legal baseline through statutory instruments and regulations, rather than agreements or informal practice.

Central guidance function: Transport could continue to provide guidance and tools to support local roads authorities.

Approval and concurrence: Transport could continue to exercise approval and concurrence powers for matters of strategic network importance.

Step-in powers: Strengthen powers for the Minister to direct roads authorities if they fail to act appropriately. These powers would be retained to ensure state oversight of safety, consistency and network-critical decisions.



Implementation

Incremental transition: This model enables a phased implementation, allowing roads authorities to adopt new tools and guidance as they are developed, while continuing to operate under familiar structures.

Moderate implementation cost: While system upgrades and training will involve some cost, the model's continuity with existing roles and structures is expected to limit the financial and organisational impact.

Regulatory outcomes – strengths and weaknesses

Model 1 reflects a limited progression along the regulatory maturity spectrum. By codifying existing practice, it could improve legal clarity, procedural consistency and administrative transparency. It may support better usability of the regulatory system, particularly through clearing up existing overlaps or ambiguities, standardised terminology, and digital tools. These changes would aim to reduce ambiguity and streamline how roads authorities exercise their functions.

The model provides limited support for outcomes-based regulation. While it could enable clearer recognition of all road users through updates to the objects of the Act, it does not embed mechanisms to align decisions with strategic objectives such as accessibility, sustainability or resilience. The regulatory focus would likely remain on process and compliance rather than measurable public value. As a result, decisions may continue to be driven by established precedent and technical standards rather than outcome performance.

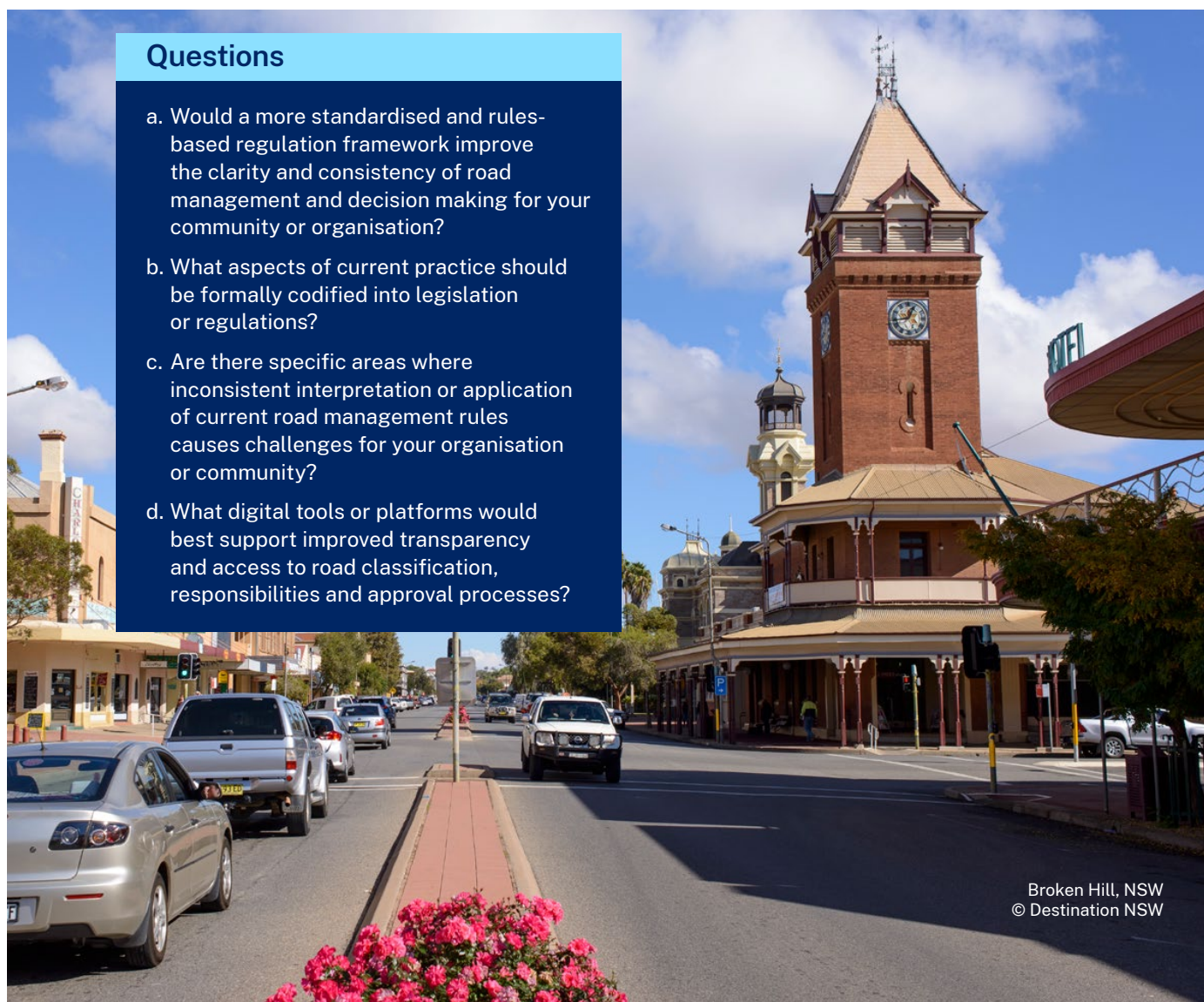
In terms of proportionality, Model 1 makes only modest changes. It does not introduce new powers or frameworks to scale regulatory effort based on risk or complexity, nor does it significantly increase local discretion in low-risk matters. While administrative clarity may reduce delays, the underlying approval structures and centralised oversight could remain largely unchanged.

Model 1 also offers limited advancement in regulatory stewardship. It does not create new oversight bodies or performance monitoring mechanisms, nor does it establish formal processes for dispute resolution or continuous regulatory improvement. While it could improve procedural accountability, it would not substantially increase transparency or independence in the regulation of roads authorities.

Overall, Model 1 provides a foundation for more consistent and efficient administration but remains close to the current system in both structure and ambition. It is unlikely to shift the system towards more outcome-driven, risk-aware or strategically coordinated regulation without further development.

Questions

- a. Would a more standardised and rules-based regulation framework improve the clarity and consistency of road management and decision making for your community or organisation?
- b. What aspects of current practice should be formally codified into legislation or regulations?
- c. Are there specific areas where inconsistent interpretation or application of current road management rules causes challenges for your organisation or community?
- d. What digital tools or platforms would best support improved transparency and access to road classification, responsibilities and approval processes?



Broken Hill, NSW
© Destination NSW



Bankstown, NSW

Model 2:
Plan-led framework

6

Upfront agreement through statutory road plans

This model adopts a risk-based and outcomes-focused regulatory approach, structured around statutory road network plans. These plans could operate as the central regulatory tool for managing roads in NSW, integrating road governance with land use planning and providing a legal basis for place-based decision making.

The current regulatory system is heavily reliant on reactive approvals and ad hoc processes. It lacks mechanisms to manage cumulative impacts, coordinate cross-jurisdictional responsibilities or provide forward-looking guidance for the design and use of roads. As urban development intensifies, these limitations result in inefficiencies, inconsistent decisions and missed opportunities to deliver integrated transport and land use outcomes.

Statutory road network plans are designed to fill this gap. By defining the intended function, access conditions and road user outcomes for each part of the network, these plans provide clear rules and shared understanding for managing road use over time. They align with established planning instruments like local environmental plans and could be mapped and published on the NSW Planning Portal to support public engagement and inter-agency coordination.

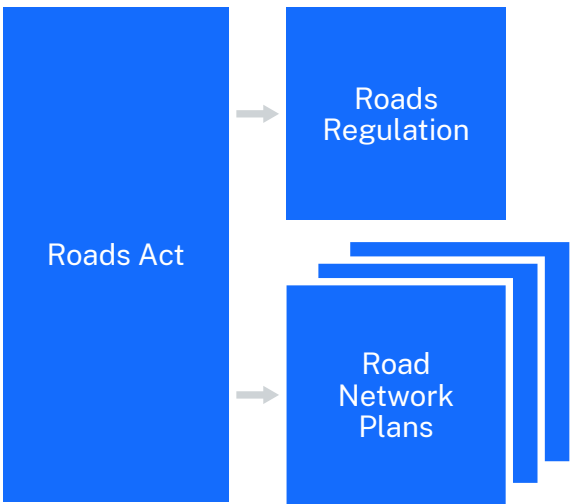


Figure 13. Model 2: Plan-led framework

Key reform: statutory road network plans

This model introduces statutory road network plans as a new regulatory mechanism. These plans could be prepared by or with the relevant roads authority and could define how individual roads and corridors are to be used, managed and developed.

Based on a standard instrument, each plan could have controls that:

- set out the intended network role and function, such as movement and place type, and modal priorities, for each road segment
- identify regulatory controls such as speed zones, property access restrictions and vehicle access restrictions
- map user priorities and place-based objectives, supporting better integration with active transport, public space and local economic activity.

Unlike the current system, which often responds to development on an application-by-application basis, this model enables proactive and integrated infrastructure planning. Under the current framework, transport impact assessments are typically conducted at the development application stage, often in isolation from broader network needs or cumulative effects. This leads to fragmented decision making, duplicated effort and an overreliance on reactive traffic modelling.

Statutory road network plans shift this approach by embedding transport and access requirements upfront, at the strategic planning level. For example, if a precinct-wide rezoning or local environment plan amendment is proposed, the relevant road network plan could be reviewed concurrently. This ensures that cumulative impacts on the road network, such as increased traffic volumes, pedestrian demand or freight needs, are assessed holistically and planned for in advance.

By aligning land use and road planning, this reform enables:

- faster development assessment and approvals
- transparent requirements for developers, and clarity of development outcomes for road users and communities
- earlier identification of infrastructure needs and funding responsibilities.

This model replaces static classifications with forward-looking, multidimensional statutory plans. It aligns powers with agreed outcomes, enables proportional, risk-based regulation, and supports devolved decision making within a coordinated framework. It ensures the road network can evolve in parallel with changing land use, while reducing delays, uncertainty and duplicated assessments in the development process. These features together offer a more strategic, place-sensitive and efficient approach to managing the road network.

Implications of this reform

The features outlined below could give effect to this model across the following areas of road management.



Road users

Expanded objectives: The Act could be amended to formally recognise the rights and needs of all road users. This includes those using roads for movement, access, utilities, public space or commercial and community activity.

Priority and equity embedded in plans: Road network plans could set explicit objectives for each road type using the Movement and Place Framework. These could define modal priorities, desired user outcomes and spatial expectations.

Structured engagement: Principles of equity, place sensitivity and inter-agency coordination could be embedded into the statutory planning and review processes.

Community collaboration: Planning provides an opportunity for upfront consultation and agreement on outcomes, and a forum to balance community and local interests.



Classification and the role of roads and streets

Clear ownership framework: Classification could continue to define ownership and core management responsibility (state roads, local roads).

Powers allocated through planning controls: Decision-making powers, conditions for road use, and third party access could be defined through road network plans rather than through static classification categories.

Flexible, outcome-based framework: Road network plans could include Design of Roads and Streets style road environments, modal function, access roles and corridor-specific controls. This enables a more detailed and functional basis for regulation.

Administrative funding categories relocated: As in Model 1, categorisation for funding support, such as regional roads, could be moved to a schedule under the *Transport Administration Act 1988*.



Decision making

Plan-based decision making: Most operational decisions could be determined with reference to road network plans. This would replace reactive case-by-case assessments with planned, network-wide objectives.

Devolved decision making: Councils and state agencies could operate within defined plan-based powers. This would reduce the need for case-by-case concurrence while maintaining strategic safeguards.

Approval of plans by Transport Secretary: All road network plans would require approval from the Secretary of Transport. This provides state-level assurance while enabling greater local autonomy.

Integrated forward planning: Roads authorities could be required to align their road planning decisions with land use plans, infrastructure strategies and asset management frameworks.



Road planning

Statutory road network plans: Each roads authority could prepare and maintain a statutory road network plan for its area. These plans would outline road functions, operating conditions and development controls.

Standard instrument: A standard instrument could define the scope, structure and content of all statutory road network plans. This would ensure consistency of road functions, objectives and regulatory controls across jurisdictions.

Planning controls define powers and limits: These plans could include legally binding controls on speed, access, modal function, freight movement and third party use. They would form the legal basis for future decisions.

Publicly accessible GIS mapping: Road network plans could be published as spatial datasets on the NSW Planning Portal. They would align with land use plans and enable cross-sector visibility.

Plan amendments enable flexibility: Changes to road categories, powers or controls would be managed through a transparent plan amendment process. This process could be similar to spot rezonings in the planning system.



Regulated third party activities

Integrated approval pathway: Development assessment and road approvals could be coordinated through a shared process aligned with road network plan controls. Vehicle access (driveways) could be assessed by a building certifier if permitted in a statutory road network plan.

Standardised rules and procedures: Regulations could define common terms, permit conditions and approval pathways for routine third party activities. These could include scaffolding, utility works and street dining.

Flexible design standards: A tiered standards framework could allow deviation from default specifications where plan objectives support context-sensitive or innovative solutions.

‘The ability to see transport and land use planning together will make it much easier to ensure that decision-making is complementary and advances strategic objectives in the public interest.’

– Professor Ameilia Thorpe, UNSW





Access approvals

Integrated spatial control: Model 2 could require that statutory road network plans include mapped access constraints and permissible access types. These maps could indicate areas where vehicle access is restricted or subject to conditions, such as near signalised intersections, freight corridors or high pedestrian activity zones, reducing the need for case-by-case decision making and clarifying expectations at the planning stage.

Strategic development triggers statutory coordination: Significant planning proposals, such as rezonings or precinct-scale subdivisions, could trigger an update or review of the relevant statutory road network plan. This ensures that access considerations are embedded early in the planning process and that the road network's function and safety are not compromised by land use decisions made in isolation.

Complying development aligned to pre-cleared access areas: Access for low-impact or complying development could be permitted by default only where road plans identify no access constraints. This reduces regulatory burden while ensuring that roads authority risks are pre-emptively addressed through spatial planning rather than reactive approvals.

Reduced approval risk through front-end integration: By embedding road access conditions into statutory planning instruments, Model 2 significantly reduces the risk of late-stage conflicts between development consent and road approvals. Roads authorities have an upstream role in shaping access policies, ensuring consistency and reducing administrative friction at the project level.



Road funding

No change to road funding responsibilities: This model does not alter existing funding allocations unless separately reformed.

Funding categories clearly separated: Administrative funding classifications could be housed under the Transport Administration Act. This avoids confusion with regulatory planning functions.

Supports longer-term cost planning: Statutory road plans could assist with aligning funding needs to planned use, condition targets and public value outcomes.



Oversight

State assurance through plan approval: The Secretary of Transport could approve all road network plans. This provides a strategic assurance mechanism without retaining case-by-case concurrence requirements.

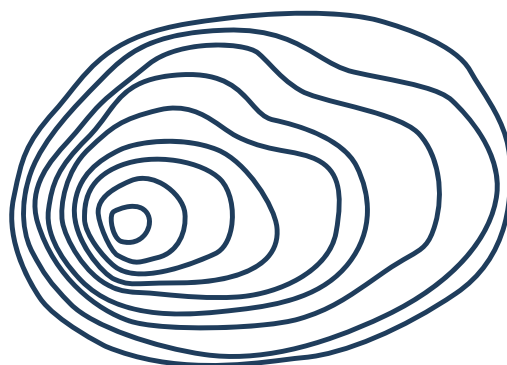
Greater local autonomy: Within the framework of approved plans, councils and other authorities would exercise greater day-to-day discretion. This would be consistent with agreed responsibilities and risk levels.

Step-in powers: Powers would enable the Minister to intervene in the event of inaction or failure as a safeguard.



Boundaries of responsibility

Spatial mapping: Model 2 enables the subdivision of road reserves into distinct functional segments, allowing different components of a single corridor to be assigned to separate roads authorities. For example, a local frontage road, footpath or parking lane could be designated as a local road under council responsibility, while the central carriageway of a state highway is retained as a state road. This approach clarifies ownership, powers and maintenance obligations, reducing ambiguity and supports more coordinated planning, design and management across complex or multifunctional corridors.





Traffic management

- Embedded traffic objectives:** Road network plans could define speed zones, modal priorities and access conditions based on the intended function and surrounding land use of each road segment.
- Risk-based controls:** Powers to install or alter certain types of traffic control devices could be linked to plan objectives and level of network risk. This could reduce unnecessary concurrence requirements.
- Integrated planning and operations:** Operational measures such as signal timing, lane allocations and parking management would be governed by the outcomes identified in the statutory plan. This allows greater place sensitivity while protecting network performance.



Implementation

- New planning framework required:** A legislative and institutional framework would be needed to establish road network plans as binding instruments. This includes clear responsibilities for drafting, consultation and review.
- Moderate to high implementation complexity:** This model would require investment in capacity building, digital tools and coordination mechanisms. However, it offers greater long-term efficiency and coherence.
- Potential for staged rollout:** A progressive transition could begin with pilot plans in high-priority corridors or regions. This allows refinement before wider application.

Regulatory outcomes – strengths and weaknesses

Model 2 represents a moderate progression in regulatory maturity by introducing spatially defined statutory planning instruments that could anchor road governance in agreed public outcomes. Through road network plans, it provides a structure that enables decisions to be made in line with defined movement and place functions, modal priorities and local land use context.

This model could support outcomes-based regulation by embedding transport and place objectives directly into planning instruments. Over time, this may allow roads authorities to make decisions that better reflect goals such as safety, equity, efficiency and climate resilience. Road network plans could also improve the transparency of decision making and provide a clearer link between road management and land use planning outcomes.

In terms of proportionality, Model 2 offers the potential for more risk-based and context-sensitive regulation. Statutory plans could reduce the need for reactive or duplicative approvals by clearly identifying where certain uses or controls apply. The model may enable greater local discretion for routine matters while reserving State oversight for issues of greater significance. This could improve both responsiveness and coordination across different parts of the network.

Model 2 introduces elements of stewardship by requiring roads authorities to prepare and maintain statutory plans approved by the Secretary of Transport. This could strengthen strategic assurance and encourage longer-term planning and monitoring. However, it does not establish an independent regulatory body or system-wide performance reporting, so its capacity for oversight and continuous improvement would remain tied to existing institutional structures.

Embedding safety in road network plans

Statutory road network plans present an opportunity to place safety at the forefront of road management decision making. These plans could define the intended function and design of each road, enabling a more integrated and outcomes-focused approach to regulation.

Key ways in which road plans could improve road safety include:

- by establishing safety as a key objective for roads, prioritising the safety of pedestrians, cyclists and other vulnerable road users over other outcomes
- by empowering local councils to set appropriate speed limits and implement traffic calming measures, based on the road’s intended function and context
- by considering safety outcomes at a network level, reducing movement and place conflicts by diverting through traffic away from high activity places
- by highlighting gaps and conflicts between pedestrian, cycling and vehicle networks, particularly where vulnerable road users must travel in mix traffic environments.

By making safety a central consideration in the development and ongoing management of the road network plans, this model can help drive tangible reductions in road trauma and create a safer, more inclusive transportation system for all users.



Questions

- a. Should statutory road network plans be introduced to provide a legal and spatial foundation for road management in NSW?
- b. Should there be flexibility in the scope of roads included in a statutory road network plan?
- c. How should strategic land use and transport plans inform statutory plans, and should strategic plans be recognised in the legislation?
- d. What role should local communities and stakeholders play in shaping or reviewing statutory road network plans?
- e. What safeguards or oversight mechanisms would be needed to ensure that statutory plans remain current, equitable and aligned with broader policy goals over time?

Wagga Wagga, NSW

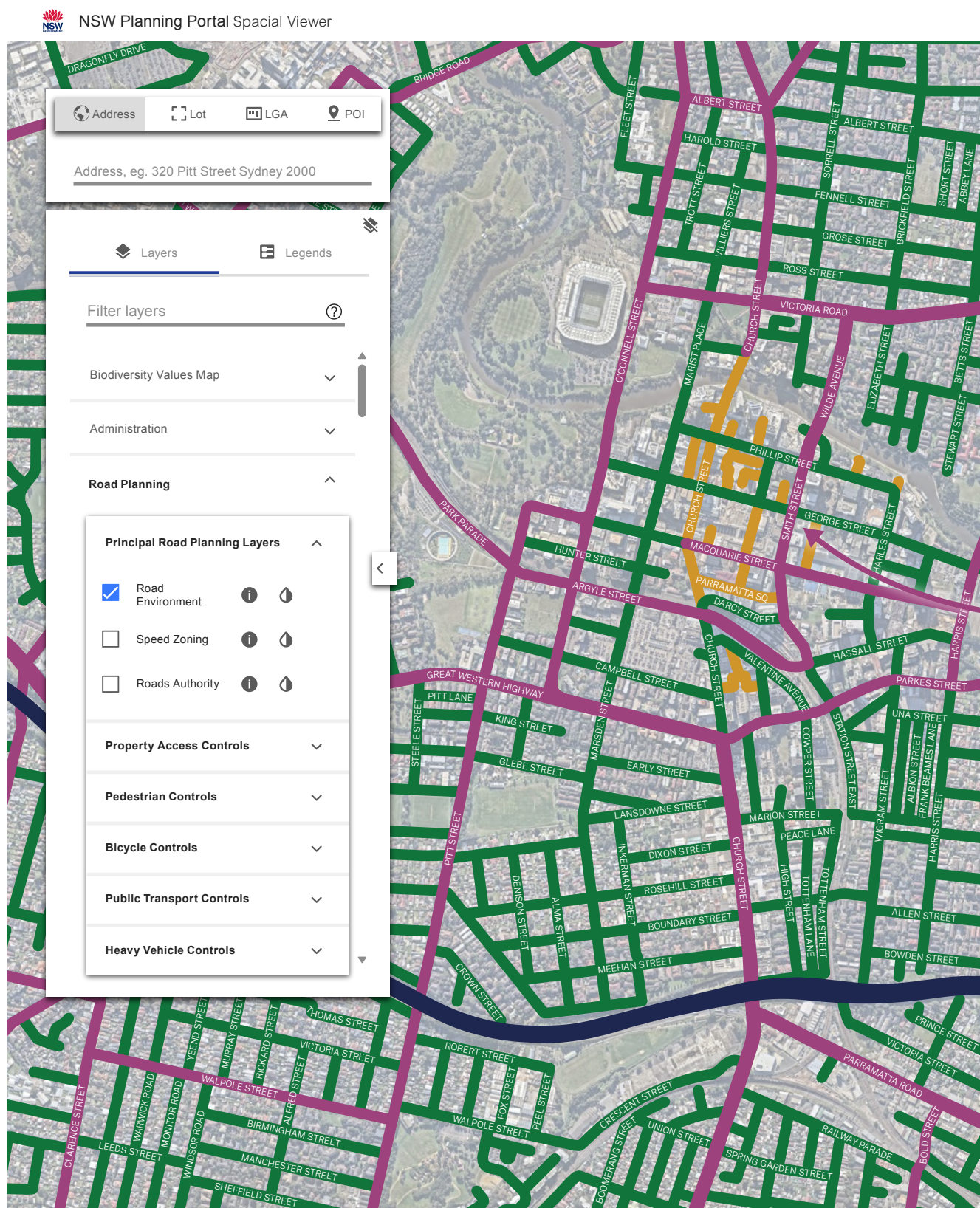
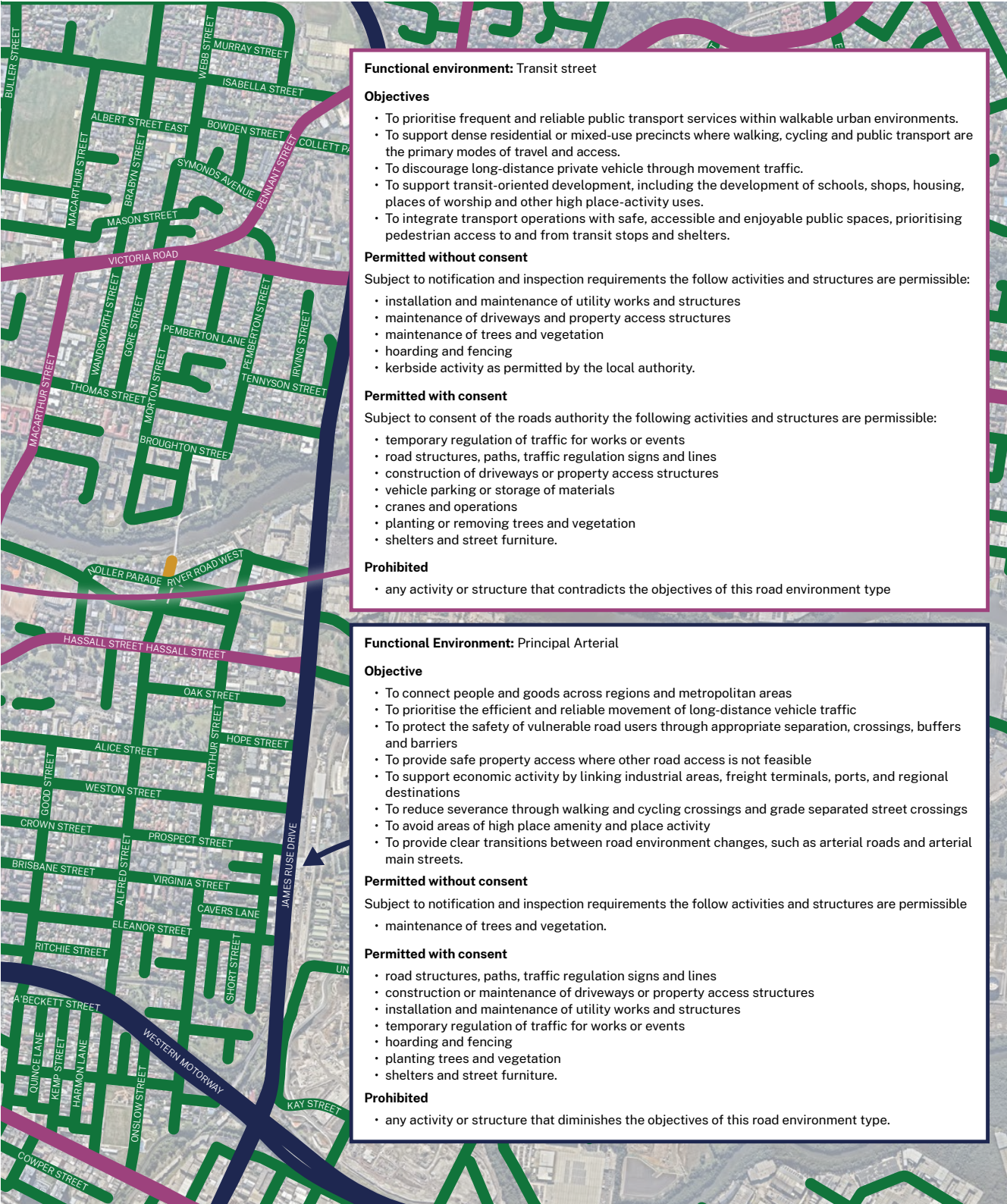


Figure 14. Example of a road network plan map with network layers and road environments





George St,
Sydney, NSW

Model 3:
Institutional change

7

Strategic oversight of regulatory performance

This model adopts a performance-based and strategically regulated approach. It establishes a clear separation between the State’s regulatory responsibilities and the operational roles of roads authorities, including both Transport and councils. A new state road regulator could provide sector-wide oversight, while roads authorities retain responsibility for managing their respective road networks.

This model responds to the increasing complexity of the road network and the devolution of powers to local councils. It introduces a new institutional role for the regulator: to monitor performance, approve statutory road network plans, and hold roads authorities accountable for delivering outcomes, rather than merely adhering to prescriptive rules.

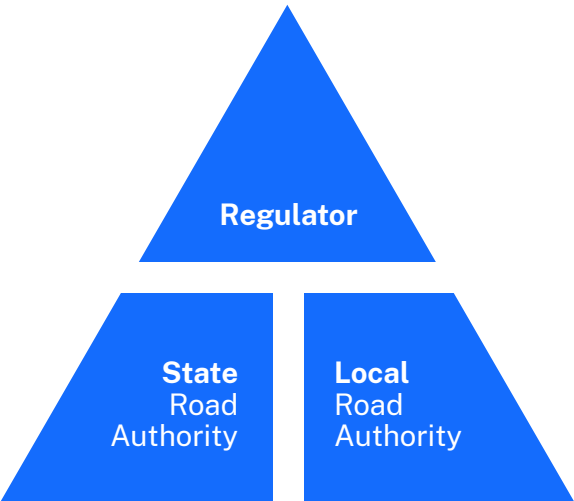


Figure 15. Model 3: Institutional change

NSW’s \$250 billion road asset base¹ – \$75,000 per household² and by far the largest public infrastructure class – is governed without the sector-level oversight or outcome accountability expected in other infrastructure sectors.

Unlike the energy, water and health sectors, roads are not subject to independent regulation or systematic performance monitoring. Road asset management is led by operational interests, and efficiency is typically defined at the level of individual projects using vehicle mobility metrics such as travel time savings. This narrow focus overlooks whether the road network supports broader public outcomes such as accessibility to jobs and services, integration with land use and place, equitable mobility and safety, and is contributing to climate and sustainability goals (Metz 2008, Duranton, G. & Turner, M.A. (2011). Without a framework for sector-level oversight, there is limited capacity to understand if road assets are being used effectively, fairly or strategically.

Key reform: A roads authority regulator

This model proposes the creation of an independent regulatory function to provide system-wide oversight of road management across NSW. This model responds directly to the growing complexity of the road network and the increasing devolution of responsibilities to councils. As more decision making is transferred to local authorities, a modern regulatory framework is needed to ensure consistency, alignment with strategic outcomes, and accountability across all roads authorities.

Without this level of oversight, the system risks continuing its reliance on duplicated approvals and state-level intervention in individual project decisions, even where a strategic plan is already in place. A mature regulatory model provides an alternative, by establishing a framework where roads authorities are trusted to act within their powers, while remaining accountable for the delivery of agreed public outcomes.

This model creates a clear institutional separation between operational road management and regulatory oversight. Transport and councils could continue to plan, operate and maintain the road network, including its integration with walking, cycling and public transport. The state regulator could be positioned within Transport but operate as a distinct division with its own governance arrangements. Its role could be to monitor performance, support capability and ensure that both state and local roads authorities are working within a consistent and outcome-focused framework.

A key advantage of this model is its ability to shift the system from rule-based compliance to performance-based accountability. In existing built-up environments such as main streets or town centres, strict adherence to design standards can limit the ability of roads authorities to respond to local needs. Under this model, flexibility could be permitted where authorities can demonstrate alignment with core outcomes such as safety, accessibility and equity. This supports innovation in street design and enables more context-sensitive solutions that still meet public expectations and policy goals.

1

Estimated from NSW Auditor-General, Road asset management in local government (Nov 2024); NSW Auditor-General, NSW Transport portfolio (June 2023)

2

ABS 2021 Census, occupied private dwellings

This model also introduces the opportunity to embed asset management practices within a broader performance framework. Roads authorities could be encouraged to demonstrate how their asset strategies support long-term goals, including through reduced emissions, improved access and more efficient use of space. This approach recognises that financial sustainability is not just about budget control, but about making strategic use of existing assets, encouraging mode shift, and enabling land use patterns that reduce demand for costly new infrastructure.

Overall, this model enables a more transparent, coordinated and forward-looking road management system. It strengthens governance, supports capability building across the sector, and promotes investment decisions that deliver long-term value to communities. While this model requires structural reform and capacity building, it offers the clearest path to a regulatory system that can manage roads as essential public assets that serve people, places and all modes of transport.

Implications of this reform

The features outlined below could give effect to this model across the following areas of road management.



Road users

- Outcomes monitoring:** The regulator could monitor and report on road user outcomes such as pedestrian safety, bus reliability and accessibility throughout integral stages of the planning, regulation and decision-making cycles.
- Regulated evidence of consideration:** Roads authorities could be required to demonstrate how their decisions meet public expectations and have demonstrated a commitment to meeting targeted outcomes across prioritised user groups. This will be evidenced in reports including items on consultation, co-designed outcomes and evidence-based decision making.
- Accountability for quality of service:** Authorities could be held accountable for local outcomes such as road safety outcomes, the quality of bus stop infrastructure, the connectedness of active travel networks and the performance of priority travel modes such as bus on-time performance.



Classification and the role of roads and streets

- Clear ownership framework:** Classification could define ownership and core management responsibility (state roads, local roads). Classified freeways and main roads (state roads within the administrative category) could become state roads, owned and operated by the state roads authority. Classified secondary roads (typically regional roads within the administrative category) could become local roads, owned and operated by the local roads authority.
 - Local responsibility for the verge:** Councils would continue to maintain and manage the verge and footpaths on state roads as defined in specific regulation and statutory road plans.
 - Powers allocated through planning controls:** Decision-making powers, conditions for road use and third party access could be defined through road network plans.
 - Administrative funding categories relocated:** As in Model 1, categorisation for funding support, such as regional roads, could be moved to a schedule under the *Transport Administration Act 1988*.
 - Independent review of changes:** The regulator could assess proposed changes to statutory road network plans and make recommendations to the Minister, ensuring that decisions are evidence-based and consistent with Transport and land use strategic plans.
- 

Decision making

 - Oversight of high-risk decisions:** The regulator would retain oversight of key decisions that carry high risks or system-wide implications, such as traffic signals, major network modifications or speed zone changes above 50 km/h.
 - Expert panels:** Specialist panels could be convened by the regulator to review significant or contested decisions, including network plan amendments or high-impact urban design issues.
 - Arbitration:** The regulator could act as an independent arbiter to hear contested cases, receive and examine evidence, and make final determinations.

‘Changes to support faster local decision making and streamlining the statute should facilitate coordination between delegated authorities to ensure the timely delivery of road infrastructure and associated or alternative public transport.’

– South Western Sydney Local Health District



Road planning

Regulatory oversight of plans: The state regulator would oversee the preparation of statutory road network plans, ensuring consistency with guidance and alignment with broader policy objectives.

Recommendations to the Secretary: The regulator would assess and make formal recommendations to the Secretary of Transport regarding the approval or amendment of road plans, including changes to statutory mapping or functional designations.

Expanded scope of oversight: Oversight could extend to non-statutory plans, such as asset plans or road safety plans, particularly where they support delivery of transport and land use objectives.



Regulated third party activities

Mandatory codes of practice: The regulator could establish or endorse codes of practice for common third party activities such as utility works, community events and construction-related occupations.

Formalised protocols and timeframes: Clear decision protocols, assessment procedures and timeframes would improve coordination between agencies and promote regulatory certainty for applicants.

Quality assurance and compliance: Roads authorities would monitor third party activity compliance and implement quality control measures and restoration standards.

Regulation of fees and charges: The regulator would have oversight of price setting for permits to ensure they are fair, transparent and cost-reflective.



Access approvals

Integrated through statutory road plans: Access approvals under Model 3 could follow the integrated spatial framework established in Model 2, with access expectations embedded in statutory road plans and aligned with land use controls.



Traffic management

Align asset responsibilities and traffic powers: State and local roads authorities could be responsible for the regulation of traffic within their own networks. Network integration could be addressed through network plans, and state-level interests could be protected on local roads through planning controls and compliance mechanisms.

Standards oversight: The regulator would review and maintain technical standards and operational guidelines for traffic control infrastructure, including signal design and installation.

Data-driven performance monitoring: Roads authorities could be required to submit traffic management data to support performance tracking.

Standard traffic control devices: Roads authorities would manage local signage, line marking and traffic calming measures within a framework of standard traffic control devices.

Compliance

Monitoring and reporting powers: The state regulator could be empowered to collect and publish data on roads authority performance, including compliance with statutory responsibilities, plan implementation and regulated activity oversight.

Audit and intervention: The regulator could conduct periodic audits of roads authorities and intervene where systemic non-compliance, risk or failure to deliver public outcomes is identified.

Public accountability: The regulator could publish performance benchmarks, compliance reports and sector-wide analysis to improve transparency and support evidence-based road management.

Appeals and dispute resolution

Independent arbitration: The regulator could act as an independent arbiter for contested decisions, including access approvals, network plan amendments and third party activity disputes. These mechanisms would provide an alternative to litigation in the Land and Environment Court, offering a faster, lower-cost and more transparent means of resolving disputes and clarifying decisions.

Regulatory outcomes – strengths and weaknesses

Model 3 aspires to a higher level of regulatory maturity by introducing a structural separation between operational functions and regulatory oversight. It proposes the creation of a system steward with the potential to provide independent assurance, monitor performance and support continuous improvement across all roads authorities. This approach mirrors mature governance models used in other infrastructure sectors, and could enable more transparent, consistent and accountable regulation of the road network in NSW.

The model provides a foundation for outcomes-based regulation by creating a framework through which roads authorities could be assessed against clear public outcomes such as safety, equity, accessibility, sustainability and financial responsibility. Over time, this could enable a shift away from procedural compliance towards performance-based decision making. It may also provide greater flexibility for innovation and place-based design, particularly in urban contexts where standardised approaches are less effective.

Model 3 also allows for a more proportional and risk-based approach to regulation. With independent oversight in place, it could be possible to scale regulatory effort in line with the complexity or consequence of decisions. Routine or lower-risk

activities could be managed locally within agreed parameters, while more significant or high-risk matters could trigger closer scrutiny. This model could support clearer pathways for delegated decision making while maintaining appropriate safeguards for critical parts of the network.

As a system stewardship model, Model 3 has the potential to establish a clearer framework for oversight, dispute resolution and continuous improvement. The proposed regulator could monitor compliance with strategic plans, provide guidance on performance expectations and arbitrate contested decisions. It could also support regulatory experimentation and review, helping the system adapt to emerging issues such as climate resilience, new technologies and changing mobility patterns.

Overall, Model 3 provides a pathway to more mature, transparent and outcomes-focused regulation. While it could require significant structural reform and investment in institutional capacity, it offers the potential to move beyond rule-based compliance toward a more strategic and integrated system that delivers long-term public value.

Questions

- a. Would the establishment of a roads authority regulator support greater transparency and accountability in road management?
- b. What kind of decisions or functions should be subject to oversight or arbitration? Examples could include the consistency of traffic signal design, speed zone setting above 50km/h, protections for important bus corridors, amendments to statutory road network plans, and audit and review functions.
- c. How should the performance of roads authorities be measured, and what indicators would best reflect outcomes such as accessibility, safety and sustainability?
- d. What capabilities or resources would roads authorities and the regulator need to successfully implement this model and support performance-based regulation?
- e. What degree of independence from roads Authorities is needed for a regulator to be successful? Why would this independence be needed?

Sydney, NSW © aiyoshi597/Shutterstock.com



Supporting mechanisms

8

Achieving the goals of a modernised Roads Act requires more than legislative change. Practical tools, clear guidance and delivery mechanisms are needed to turn intent into consistent, effective action across all roads authorities.

This section outlines supporting mechanisms that could apply under any of the three models. These include policy guidance, digital tools, non-legislative instruments and processes for regulatory testing, monitoring and improvement. Their purpose is to strengthen regulatory performance, build local capability and support a more transparent, proportionate and outcomes-focused system.

Regulatory tools and processes

Effective regulation of third party activities in the road reserve depends not only on clear legislative powers, but also on the systems, tools and protocols that support day-to-day implementation. Activities involving utility works, temporary occupations and private infrastructure in the road corridor often involve multiple stakeholders, overlapping legislation and variable local practices. To ensure consistent, transparent and high-quality regulatory outcomes, the following mechanisms could be implemented to support the regulation of third parties across the domains of assets, structures and temporary activities.

New systems, tools and protocols may include those listed below.

Enforceable statutory permits: Roads authorities could have powers to issue and enforce statutory approvals for third party assets and activities within the road reserve.

Standardised templates and model processes: Provide consistent guidance for common third party activities such as driveway applications, hoardings, utility works and outdoor dining. Reduce the administrative burden on councils and improve compliance from applicants.

Regulations establishing standardised terminology, forms and procedures: Enable clear communication across jurisdictions and support legal enforceability. Ensure consistent interpretation of terms such as 'structure', 'occupation', or 'temporary works'.

Centralised digital portal for scheduling and notifications: Provide a shared platform for submission, tracking and coordination of third party works across multiple roads authorities. Enhance transparency, minimise clashes and improve access for small operators.

Risk-based assessment frameworks for common activities: Enable proportionality in decision making, allowing routine low-risk activities to be streamlined while ensuring higher-risk works receive appropriate scrutiny.

Mandatory codes of practice promoting quality standards: Ensure that all works in the road corridor, regardless of the operator, meet consistent expectations around construction quality, safety, restoration and customer impact.

Flexible standards framework with assessment hierarchy: Allow local variation in standards where justified by context, such as heritage, flood risk and street function considerations, while retaining a consistent baseline and clear escalation path.

Integrated assessment pathways combining land use planning and roads approvals: Support coordinated assessment of development applications that involve both property access and road occupation or modification, reducing duplication and delays.

Formalised decision protocols and timeframes for multi-agency approvals: Clarify responsibilities, sequencing and turnaround expectations where multiple regulators, such as council, Transport and utility providers, are involved. Improve accountability and reduce approval times.

Comprehensive quality assurance and compliance framework: Provide for routine audit, incident response and enforcement across all third party works. Include powers for stop-work notices, rectification orders and financial penalties where standards are breached.

Regulation of fees and charges for all roads authorities: Establish principles and transparency requirements for the setting of application fees, impact charges and restoration bonds. Prevent cost shifting and supports equitable access to public space.

The successful implementation of these tools and systems will require more than individual effort by councils or agencies. It is likely to require a central coordinating entity with a clear mandate, appropriate legislative authority and sufficient resources to develop, maintain and oversee these mechanisms across all roads authorities, including both State and local government. Centralised guidance, shared infrastructure and regulatory stewardship will be essential to ensure consistency, equity and efficiency in the regulation of third party activities across the entire road network.

Compliance and penalties

An effective compliance system is critical to the credibility, functionality and long-term success of any regulatory reform. Regardless of the model adopted, the ability to ensure that rules are followed, conditions are met and responsibilities are enforced is fundamental to delivering public outcomes such as safety, equity, accessibility and asset integrity. As regulatory powers are devolved and decisions become more outcomes-focused and proportionate to risk, the supporting compliance framework must evolve in parallel.

Without clear, consistent and enforceable compliance mechanisms, the benefits of reform cannot be realised, and public trust in the regulatory system will be compromised. To support a modern, multi-level and context-sensitive road regulation framework, the compliance system must be strengthened through the introduction of more flexible enforcement tools, clearer statutory powers, and improved systems for monitoring, reporting and accountability.

A modernised compliance system should include the elements below.

Graduated enforcement tools: Introduce a tiered set of compliance responses, allowing roads authorities or regulators to respond proportionately to different levels of non-compliance. This approach enables early intervention, reduces the need for litigation, and provides roads authorities with more practical options for managing breaches of approval conditions or unauthorised activities. This could include:

- advisory or improvement notices
- rectification orders
- administrative penalties
- civil enforcement orders
- escalated criminal sanctions for deliberate or repeated breaches.

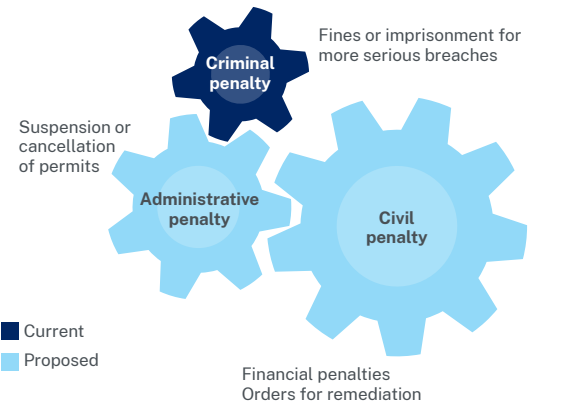


Figure 16. Graduated enforcement tools

Civil penalty provisions: Incorporate civil penalties into the Act as an alternative to criminal prosecution. Civil penalties can be applied to breaches such as unauthorised access to the road corridor, failure to comply with permit conditions, damage to infrastructure, or obstruction of road functions. This would bring road regulation in line with other infrastructure and planning legislation, such as the *Environmental Planning and Assessment Act 1979* and the *Utilities (Management of Infrastructure) Act 2020* in other jurisdictions.

Pre-qualification and licensing: Introduce a regulatory framework for pre-qualifying contractors or service providers who regularly carry out work in the road corridor. Pre-qualification supports prevention-based compliance and reduces the likelihood of substandard work or repeat breaches. This could allow roads authorities to:

- mandate minimum technical standards
- require safety and quality management plans
- remove or suspend approval for repeated non-compliance
- share performance data between authorities.

Permit conditions and financial securities: Strengthen the ability of roads authorities to impose enforceable permit conditions and require financial securities or bonds. This is particularly important for utility and third party works, where rectification may be costly and delayed. Clear powers to call on securities and enforce reinstatement standards could shift the financial burden from councils and ratepayers to the parties responsible for damage or poor-quality work.

Audit and monitoring functions: Embed audit powers within the Act to allow a regulator or state roads authority to monitor compliance with conditions, conduct site inspections and require documentation. This should include powers to:

- enter premises or sites with reasonable cause
- request records or evidence of compliance
- report systemic issues to the regulator or oversight body.

Performance-based regulation: As regulatory powers become more devolved under the plan-led or institutional models, the system should include mechanisms to assess performance across councils and roads authorities. This could allow the regulator to identify systemic risks, target education or enforcement resources, and provide assurance that regulatory powers are being used responsibly. This may include:

- compliance dashboards
- sector benchmarks
- self-assessment and external audit regimes
- public reporting of outcomes.

Reserve powers: The Minister would retain reserve powers to overrule roads authorities or the regulator for significant breaches of the Act, fraud or mismanagement. This could include powers to appoint an administrator to replace non-compliant roads authorities.

Digital compliance systems: Develop digital systems to support permit tracking, condition management and reporting of breaches. A shared compliance platform could:

- support cross-agency collaboration
- enable transparent tracking of approvals and follow-up actions
- reduce administrative burden for both applicants and roads authorities.

Digital tools are essential to enabling scalable compliance management under a more distributed and risk-based regulatory framework.

Education and capability-building: Compliance should be supported by clear guidance, education programs and advisory functions. Councils, contractors and utility providers need access to up-to-date standards, case studies and implementation tools. A modern compliance system must also include regular training and support for authorised officers, enforcement staff and assessors.

‘Encroachments into the road reserve in the form of illegal filling of drainage swales, erection of carports, addition or removal of retaining walls etc., carry a maximum penalty of \$1100. This is often less than the cost of applying for permission with council’s user charges, so is effectively useless. The office provisions in the Act should be revised significantly to reflect the seriousness and costs associated with these activities, and to act as an effective deterrent to such behaviour.’

– Institute of Public Works Engineering Australasia



Newcastle, NSW

Cost recovery

The *Roads Act 1993* currently provides limited powers for cost recovery, allowing roads authorities to charge fees only for 'services it provides' under section 223. This language is too narrow to support recovery of costs for many regulatory functions, particularly those carried out by Transport for NSW, such as access approvals, impact assessments and permit condition management.

To address this, an amended Roads Act could enable broader cost recovery powers for 'regulatory functions', not just services. This could provide a clear legal basis for Transport and local roads authorities to recover the cost of assessing applications, managing road corridor access and enforcing permit conditions. The power could apply to a defined list of functions and be designed to operate consistently across state and local authorities.

Alongside legislative change, a supporting framework may help to guide how fees are calculated, applied and administered. This could adopt cost recovery principles similar to those in Practice Note 25, including cost reflectivity, equity, transparency and regular review. The framework could also include processes for exemptions, indexation and dispute resolution. A shared digital platform could support consistent application, secure payments and integrated reporting across all roads authorities.

Funding arrangements

Any future regulatory framework will recognise current funding arrangements and consider the need for adjustments in the medium to longer term. The allocation of responsibilities for funding and maintenance obligations, including the distinction between state, regional and local roads, remains a critical enabler of road management and investment. Reform of regulatory framework should not in itself trigger changes to funding responsibilities or entitlements but provide greater clarity and transparency regards current funding and financial responsibilities.

To support clarity and transparency, consideration could be given to relocating regional road funding assistance (road categorisation) from the Schedule of Classified Roads and Unclassified Regional Roads to a specific funding assistance schedule within the *Transport Administration Act 1988*. This could help distinguish regulatory powers from financial responsibilities and provide a clearer legislative basis for managing funding agreements and programs.

Finally, any transition to a new regulatory framework will have implementation costs. These may include new systems, training, planning and the development of guidance and assessment tools. An awareness of these costs, and appropriate planning for them, will be critical to ensuring a realistic, phased and well-supported implementation pathway.

Questions

Regulatory tools and processes

- What tools or guidance would support better coordination, permitting or cost recovery for third party activities in the road reserve?
- Should standardised permitting tools be provided or embedded in regulation? Examples could include the standardisation of permits, digital forms and application tracking, and guidance for community events.

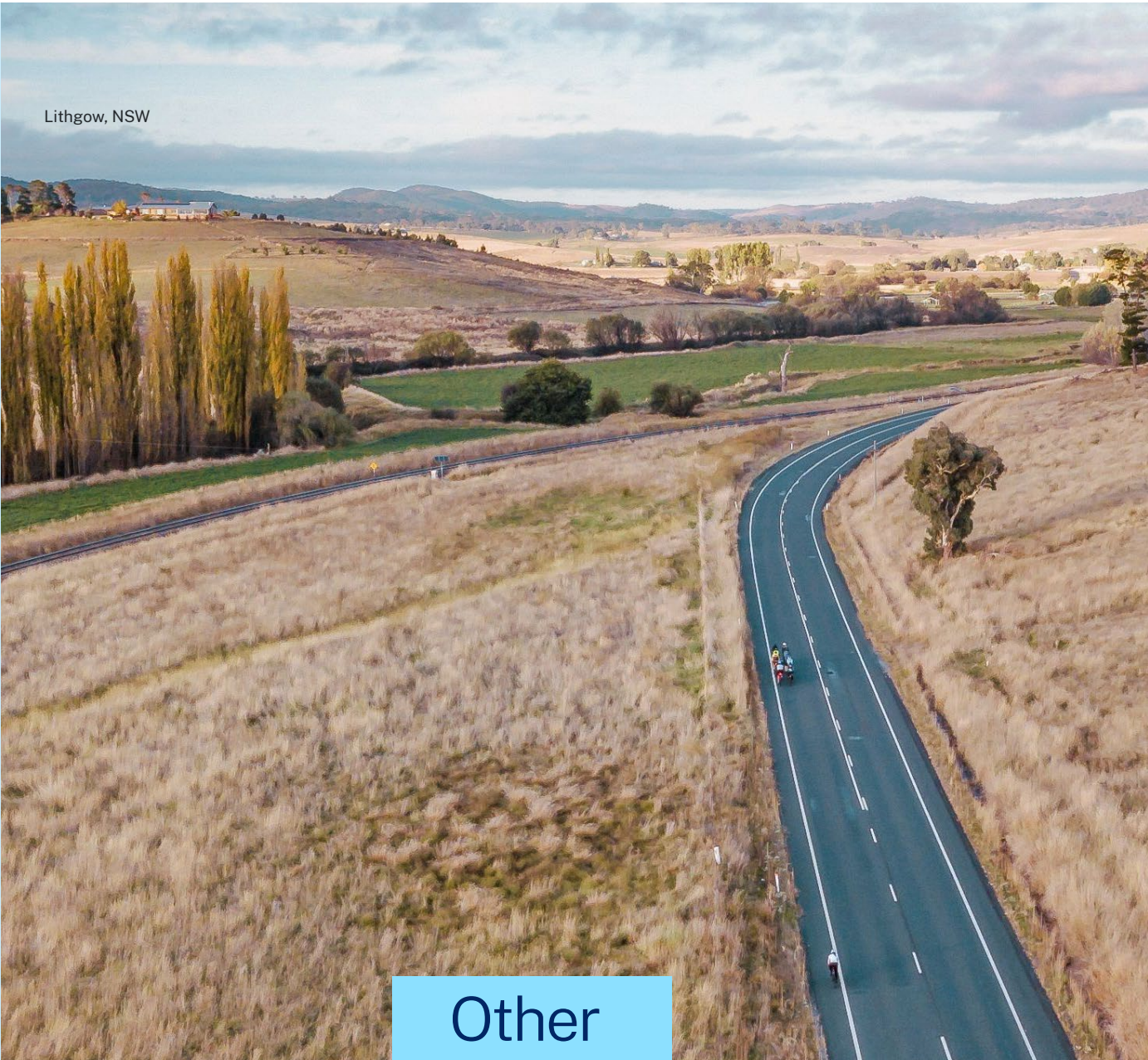
Compliance and penalties

- What tools or powers would improve enforcement of the Roads Act and related approvals?
- Should the Roads Act include enforcement tools such as administrative and civil penalties?
- Should the Roads Act provide for tiered enforcement measures based on the severity or risk of non-compliance?
- How can compliance be improved for third party activities such as unauthorised access works, utility installations or roadside advertising?



West St, North Sydney, NSW





Lithgow, NSW

Other
considerations

9

Crown roads

The review of the *Roads Act 1993* provides a valuable opportunity to consider the most efficient arrangements for administering and managing Crown roads across government agencies. Clearer road construction and maintenance responsibilities could help ensure Crown roads better meet current and future access needs consistent with relevant standards. Clearer responsibilities could also help streamline assessment of development proposals that include the use of Crown roads, clarify relevant processes for development consents involving Crown roads, and remove red tape following natural disasters when Crown roads need repair (as outlined in chapter 3).

Crown Lands have provided feedback that its intention is to prioritise the transfer of Crown roads to other roads authorities to enable the more efficient planning and delivery of funded road services.

While the *Roads Act 1993* requires Transport's consent before the transfer of a Crown road to it there is no such requirement when transferring a Crown road to any other roads authority (section 152I). Crown Lands acknowledges that its power to transfer Crown roads is not always popular and has taken a policy approach to consult with councils before transfer to consider feedback. This consultation is additional to the statutory process and is not a formal requirement under the *Roads Act*.

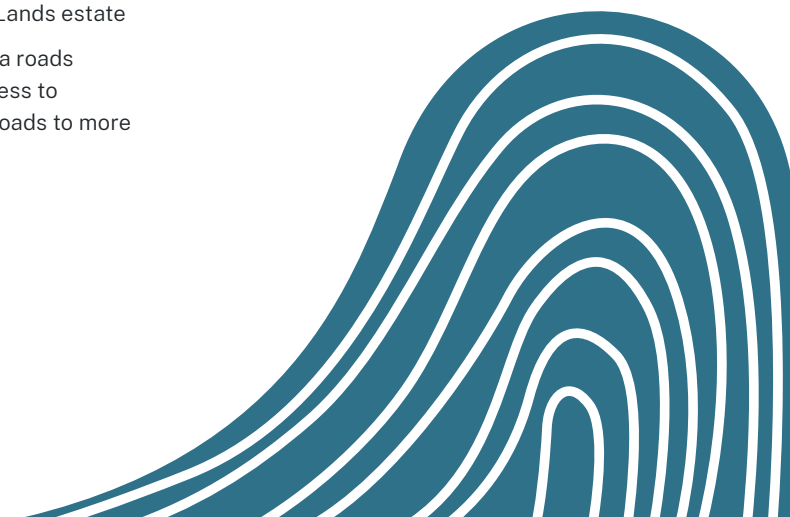
There may be scope to take a more strategic approach to categorising Crown roads, informed by better data, to facilitate easier decision making around who the best manager for the road may be in any instance. The options might range from:

- removing all Crown roads from the public road network and making it clear that Crown Lands is not a roads authority
- redefining Crown roads as:
 - 'trails' on Crown land and managed as part of the Crown estate in a similar way to trails in national parks
 - private roads providing property access functions protected as easements
 - public roads managed by a roads authority (council or Transport) with the land forming the road reserve remaining part of the Crown Lands estate
- Crown Lands retaining responsibility as a roads authority for all Crown roads and a process to facilitate the transfer of certain Crown roads to more suitable roads authorities.

Identifying the entity that is most suitable for managing certain Crown roads may resolve administrative delays that currently can occur where management responsibility is uncertain.

Crown Lands has also identified the potential for this review to expand the compliance and enforcement tools available to roads authorities to manage Crown roads, particularly those that are unformed and difficult to identify on the ground, making them more vulnerable to unlawful use and potential damage. Other areas where improvements could be explored include the transfer of Crown roads, as outlined above, the closure and sale of Crown roads, works on Crown roads, and the regulation of access to and the occupation of Crown roads.

The overarching reform ambition is to create a modern, effective and efficient management framework for Crown roads that acknowledges their unique role in the NSW transport and land access network, maximises public value, and promotes clarity, accountability and sustainability. Further, the framework must consider any rights and interests that may exist under the *Native Title Act 1993* (Cth) and *Aboriginal Land Rights Act 1983*.





Other state government agency road manager

There are a number of Government agencies who manage public and private roads in addition to councils and Transport. Agencies include the National Parks and Wildlife Service, Forestry Corporation of NSW, Sydney Olympic Park Authority, Greater Sydney Parklands Trust, Royal Botanic Gardens and Domain Trust. These agencies rely on a combination of their own legislation as well as the Road Transport Act 2013 and Roads Act 1993.

Additional legislative improvements

Other potential additional amendments to the *Roads Act 1993* have been identified that do not form part of the earlier discussions in this Options Paper. These additional amendments are a combination of issues identified by Transport during the review and more recently through submissions to the Issues Paper published earlier in 2025.

These issues can be addressed, including progressing amendments to the Act, under each of the three reform models that are also described earlier in this Options Paper.

Questions

- a. Should Crown roads be managed within the Roads Act?
- b. Should the role and function of Crown roads be more clearly defined within the Roads Act?
- c. Could the transfer of certain Crown roads to other roads authorities be more streamlined?
- d. What criteria should determine whether a Crown road is retained, transferred, or closed, and who should make that determination?



The table below provides an overview of these issues as well as Transport's proposed solutions.

Table 3. Legislative improvements

Issue	Why amendments are needed	Proposed solution
Improved responses to natural disasters Section 175	A landslip in the Blue Mountains in 2024 highlighted the need to improve roads authorities' efficiency and flexibility when responding to a natural disaster, particularly when a road has been made impassable, and in emergency situations.	Transport is proposing to broaden the current 'temporary' timeframe allowed for providing a road to replace an impassable road, and allow more flexibility in the location of a temporary road, and is considering providing roads authorities with additional capabilities in cases of an 'emergency' as defined under the State Emergency and Rescue Management Act 1989.
Removal of traffic hazards Section 88	Transport has been considering amendments to section 88 for some time to clarify its intent and application. A number of submissions to the Issues Paper were received, expressing a range of often competing proposals for amendments to this section.	In alignment with the NSW Government and Transport's core priority of ensuring road safety, while also considering the range of views expressed regarding this section, it is proposed to clarify, but not materially amend section 88. Transport is considering stipulating more rigorous criteria than is currently provided under this section, before tree or vegetation removal or lopping is permitted.
Publication of notices in local newspapers Relevant sections: 19, 22, 29, 31, 35, 38B, 79, 116, 128, 152D, 154, 156, 184	Numerous submissions to the Issues Paper highlighted the need to update the requirements under the Act regarding notices to be published in local newspapers.	Transport proposes to modernise the requirement for notices to be published in local newspapers, while still providing for this means of communication in situations where local newspapers remain the most effective form of communication with the local community.
Service of documents Section 254	Section 254 does not provide for the service of documents by email.	To modernise the service of documents, Transport proposes to update this section to enable service by email.
Proper use and enforcement of rest centres Section 264	The issues of regulating behaviour on Transport-owned 'rest centres', such as rest stops, rest areas, are long-standing. In March 2025, these issues were again highlighted by instances of light vehicles parking in heavy vehicle spots, heavy vehicles staying longer than necessary for fatigue management, vendors setting up vehicles and signage in rest centres, and camping. Transport has similar powers to regulate conduct on land it owns under the Ports and Maritime Administration Act 1995.	To provide for future consistency in Transport's responsibilities to regulate conduct on land managed under the Roads Act, Transport is considering developing regulations regarding the use of road corridors and road-related areas. When regulations are drafted following completion of the review of the Act, Transport will consider appropriate provisions within the regulations to manage conduct in rest centres and other relevant areas along road corridors. Specific proposals for provisions in the Regulation will be considered after a thorough review of related regulations under planning and local government legislation.
Road surfaces Section 89	Submissions to the Issues Paper pointed out that references to 'tar' on road surfaces are outdated.	Transport proposes to remove references to 'tar' and replace with 'road sealing compounds' to provide for modern road surfacing materials.
Financial threshold for road work outdated Section 76	A submission to the Issues Paper pointed out that the threshold figure of \$2 million for roadworks specified in this section is outdated and requires updating or removal.	Transport proposes to remove the reference to \$2 million in section 76 and stipulate an amount in the Regulation (as is already provided for in this section).
Definitions Various sections	Submissions to the Issues Paper pointed out that some terms used in the Act are not defined or not clearly defined.	Transport proposes to develop or update definitions for relevant terms as required.



Implementation

10

Implementing reforms

A preferred regulatory model will be selected for detailed implementation planning. Regardless of which model is chosen, implementation is likely to occur in stages over several years. The scale of reform proposed, particularly under the more ambitious models, will require sustained investment in capability, systems and culture. Reform of the NSW planning system offers a useful precedent, having progressed over more than a decade through successive legislative, policy and organisational changes.

Each model will require a different scale of investment. The plan-led and institutional change models will involve significant change management across Transport, councils and other delivery partners. These models will require new governance structures, enhanced inter-agency coordination, investment in digital tools and systems, and ongoing support for workforce development. In contrast, the codification model is more limited in scope and could be implemented more rapidly, though with more modest long-term impact.

While these reforms will require upfront investment, they also offer opportunities to reduce long-term costs across the system. A more coherent and outcomes-based regulatory framework can support more efficient use of existing infrastructure, reduce duplication and delays in decision making, and improve coordination across government. Reducing regulatory complexity and shifting from process-heavy compliance to performance-based assessment may also reduce administrative overhead for councils and the State.

Implementation planning will also need to address resourcing constraints across local government. Resourcing in councils varies significantly across the state, particularly in smaller or rural councils that may not have access to dedicated transport planning staff. A plan-led approach could require enhanced capability in transport planning and network coordination, particularly at the local level. This could be supported through shared regional resources, technical assistance programs and the development of digital tools that streamline assessment and approvals.

Further work will be undertaken during detailed implementation planning to ensure councils are adequately supported, that reform costs are proportionate to local capacity, and that councils and other local roads authorities are equipped to participate in the regulatory system.

A staged and scalable approach

Implementation will also be shaped by budgetary constraints and competing priorities. A staged and scalable approach will allow progress to be made within available funding, while still aligning with broader strategic goals. It is unlikely that any model will be delivered through a single large-scale reform. Instead, a phased program of change is likely to emerge, starting with foundational actions such as legislative amendments, capacity building, pilot programs and updated guidance. This should be supported by ongoing evaluation and feedback mechanisms, allowing adjustments to be made as reform momentum builds and system needs evolve.

A clear and realistic implementation roadmap will be essential to achieving the reform ambition, while ensuring that councils and communities are well supported throughout the transition.



Regulatory experimentation

The review of the *Roads Act 1993* has discussed potential reform approaches. However, it cannot feasibly address every single issue, let alone every idea that will arise in the future amid continuous technological and societal change. A robust regulatory experimentation framework could provide a structured way to test, refine and adapt regulatory responses, supporting more flexible and responsive implementation of the reformed Act.

Regulatory experimentation could serve as an important tool to implement Roads Act reform in stages, reduce uncertainty and build evidence for new regulatory practices before they are adopted more broadly.

By allowing new approaches to be trialled in controlled settings, regulatory experimentation could:

- support place-based implementation of new frameworks, such as road network plans or revised traffic management approaches, in selected councils or corridors before statewide adoption
- enable tailored testing of new approval processes, compliance mechanisms or permit pathways in specific use cases or jurisdictions
- identify unintended consequences of reform proposals early, enabling adjustments to be made before changes are fully legislated or rolled out
- build capability among roads authorities by encouraging shared learning and evidence-based refinement of new regulatory tools
- support collaboration between Transport, local councils and industry stakeholders in co-designing regulatory solutions that work in practice.

In this way, regulatory experimentation could serve as a bridge between high-level legislative change and practical delivery. It allows the new regulatory framework to evolve iteratively, ensuring that the system can adapt to local context, manage risk and remain responsive to emerging priorities.

Regulatory experimentation approaches

A regulatory experimentation framework could apply across roads legislation, including the Road Transport Act 2013, and cover different methods of regulatory experimentation. For example:

- **Existing flexibility:** Some regulatory frameworks already allow for experimentation without legal changes. For example, connected vehicle trials may proceed without new regulations but would benefit from a policy framework for monitoring, evaluation and potential transition to permanent adoption.

- **Pilots:** Pilot test new approaches in limited settings to assess feasibility and impact. For example, revised traffic control standards could be trialled in a small regional network before broader rollout.
- **Devolution:** Temporary delegation of powers can enable local authorities to undertake activities they're not usually permitted to, supporting innovation at the local level. This could be particularly relevant to the *Roads Act 1993*.
- **Derogation:** Regulatory requirements can be temporarily 'switched off' for specific groups or periods, as allowed under the Road Transport Act 2013. For example, a regulatory sandbox could allow supervised testing of autonomous vehicles under relaxed rules to gather real-world data.

Standard evaluation framework

The policy framework could provide guidelines for a roads authority to conduct and evaluate regulatory experiments. These could include best practice for the design of experiments, data management, collaboration and coordination, risk management and evaluation.

Evaluation of regulatory experiments could assess the need for and potential design of any permanent regulatory changes. The framework could include comprehensive guidance on how to evaluate the experiment and how to communicate findings such as:

- the effects of the tested regulatory changes
- lessons about the practical implementation of the changes
- potential adaptations required to upscale the objects of experimentation from a limited test to a permanent feature
- lessons about the implementation of regulatory experimentation.

As a tool for implementing the reforms under the Roads Act, regulatory experimentation could help embed this function into the regulatory system, providing a structured and transparent process for initiating, assessing and evaluating trials under the new Act. This could strengthen the ability of the Roads Act to remain fit for purpose over time and better equip the system to manage change, complexity and innovation in the years ahead.



Case study

Case study: Autonomous vehicle trials

Transport's Future Mobility team has supported industry and research partners to trial autonomous vehicle technology on NSW public roads with the goal of safely validating, evaluating and demonstrating autonomous vehicle system capabilities within real-world use cases and environments.

Outcomes have been mixed. A regulatory experimentation policy framework could address some of the areas of improvements that stakeholders raised, particularly in relation to process governance and assurance while ensuring safe outcomes. For example:

1. The ministerial approval under the Road Transport Act 2013 could be delegated to Transport, streamlining the process
2. Safety criteria, approaches and documentation could be based on risk, with simpler standard development, assessment and implementation processes for lower-risk trials
3. With trials being an innovative space where technology can be ahead of defined standards, managing risks safely and efficiently does not necessarily mean simply following standards with a pass or fail outcome. Regulatory experimentation could support this cultural shift in providing better risk-based guidance to teams.



Coffs Harbour Bypass, Coffs Harbour, NSW

Questions

- a. What support, tools or transitional arrangements do you foresee as necessary to help your organisation implement or work within the proposed reforms? Examples could include training, resources, guidance and technical support.
- b. What do you see as the most significant barriers to successful implementation of the reforms in your context?
- c. What timeframes would be realistic for implementing the key elements of reform in your organisation or area?
- d. How could collaboration between state agencies, councils and other stakeholders be strengthened to support a smooth transition?
- e. Are there existing systems or processes that could be leveraged or adapted to support reform implementation, rather than replaced entirely?



Penrith, NSW

How to
provide feedback

11

The Options Paper presents three potential models for reforming the *Roads Act 1993*. These models reflect different ways of structuring responsibilities, regulatory tools and decision-making frameworks for the future management of roads and streets across NSW. Each model is intended to stimulate discussion, invite new ideas and test support for key design choices.

We know that successful reform cannot be designed in isolation. It depends on the knowledge, experience and insight of councils, industry, government agencies, community groups and individuals. Your feedback will help shape the preferred regulatory framework and guide the next phase of legislative and policy development.

We invite you to engage with the Options Paper by responding to the questions below or providing broader comments. Submissions can reflect your organisation's experience, your community's needs, or your views on how best to modernise the regulation of roads and streets.

Questions

We have formulated questions by topic below as helpful feedback prompts to assist respondents in making a feedback submission.

Reform Purpose and Outcomes

- What would you add or change to the proposed regulatory purpose and outcomes?

Preferred model

- How could we progress a combination of the best parts of each of the models?
- Which of the three models presented do you believe provides the strongest foundation for the management of roads in NSW?
- If a single model were to be progressed, which would it be?
 - Model 1: Codification of current practice
 - Model 2: Plan-led framework
 - Model 3: Institutional change

Model 1: Codification of current practice

- Would a more standardised and rules-based regulation framework improve the clarity and consistency of road management and decision making for your community or organisation?
- What aspects of current practice should be formally codified into legislation or regulations?
- Are there specific areas where inconsistent interpretation or application of current road management rules causes challenges for your organisation or community?
- What digital tools or platforms would best support improved transparency and access to road classification, responsibilities and approval processes?

Model 2: Plan-led framework

- Should statutory road network plans be introduced to provide a legal and spatial foundation for road management in NSW?
- Should there be flexibility in the scope of roads included in a statutory road network plan?
- How should strategic land use and transport plans inform statutory plans, and should strategic plans be recognised in the legislation?
- What role should local communities and stakeholders play in shaping or reviewing statutory road network plans?
- What safeguards or oversight mechanisms would be needed to ensure that statutory plans remain current, equitable and aligned with broader policy goals over time?

Model 3: Institutional change

- Would the establishment of a roads authority regulator support greater transparency and accountability in road management?
- What kind of decisions or functions should be subject to oversight or arbitration? Examples could include the consistency of traffic signal design, speed zone setting above 50km/h, protections for important bus corridors, amendments to statutory road network plans, and audit and review functions.
- How should the performance of roads authorities be measured, and what indicators would best reflect outcomes such as accessibility, safety and sustainability?
- What capabilities or resources would roads authorities and the regulator need to successfully implement this model and support performance-based regulation?
- What degree of independence from roads Authorities is needed for a regulator to be successful? Why would this independence be needed?

Road users

- How should the Roads Act better recognise the needs of different road users, including people walking, cycling, freight operators and people with limited mobility?
- How strongly should the Act require consideration of the needs of all road users?
- Based on figure 17 below, what level of influence should road user cohorts have on decision making and change?
- Should there be a road user hierarchy which places vulnerable road user cohorts as top priority for decision-makers to consider?



Figure 17. Scale of influence

Classification and the role of roads and streets

- How should the classification system more clearly delineate the boundaries of responsibility for roads authorities?
- How should the classification or planning system embed the Design of Roads and Streets guidance through objectives for the form and function of roads and streets?

Roles and responsibilities of roads authorities

- Are local roads authorities currently appropriately empowered to fulfil their role and responsibilities in managing local roads? If not, what would better enable them?

Planning integration

- Should statutory land use planning changes trigger a road planning review to ensure alignment between transport and development outcomes?
- How can the Roads Act better support coordination between land use assessment and road access, road infrastructure and road works?

Regulatory tools and processes

- What tools or guidance would support better coordination, permitting or cost recovery for third party activities in the road reserve?
- Should standardised permitting tools be provided or embedded in regulation? Examples could include the standardisation of permits, digital forms and application tracking, and guidance for community events.

Compliance and penalties

- What tools or powers would improve enforcement of the Roads Act and related approvals?
- Should the Roads Act include enforcement tools such as administrative and civil penalties?
- Should the Roads Act provide for tiered enforcement measures based on the severity or risk of non-compliance?
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Crown roads

- Should Crown roads be managed within the Roads Act?
- Should the role and function of Crown roads be more clearly defined within the Roads Act?
- Could the transfer of certain Crown roads to other roads authorities be more streamlined?
- What criteria should determine whether a Crown road is retained, transferred, or closed, and who should make that determination?

Implementing reforms

- What support, tools or transitional arrangements do you foresee as necessary to help your organisation implement or work within the proposed reforms? Examples could include training, resources, guidance and technical support.
- What do you see as the most significant barriers to successful implementation of the reforms in your context?
- What timeframes would be realistic for implementing the key elements of reform in your organisation or area?
- How could collaboration between state agencies, councils and other stakeholders be strengthened to support a smooth transition?
- Are there existing systems or processes that could be leveraged or adapted to support reform implementation, rather than replaced entirely?

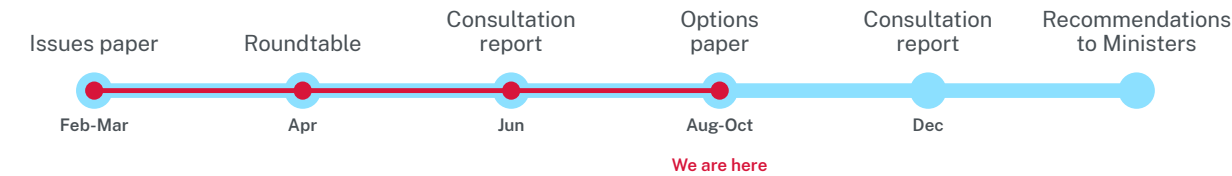
How to provide feedback

Visit the Have Your Say portal www.haveyoursay.nsw.gov.au/roads-act-1993 to share your views, a submission guide is available via the portal to assist you in making a response.

Written submissions will be published via the project webpage, you may indicate when you make your submission if you wish for it to be anonymous.

Figure 18. Roads Act review timeline

The consultation period will close on 31 October. Feedback received will inform the selection and refinement of the preferred model and support the development of legislative and implementation proposals. This will be the final opportunity to provide input into the review and shape the recommendations to the Ministers.

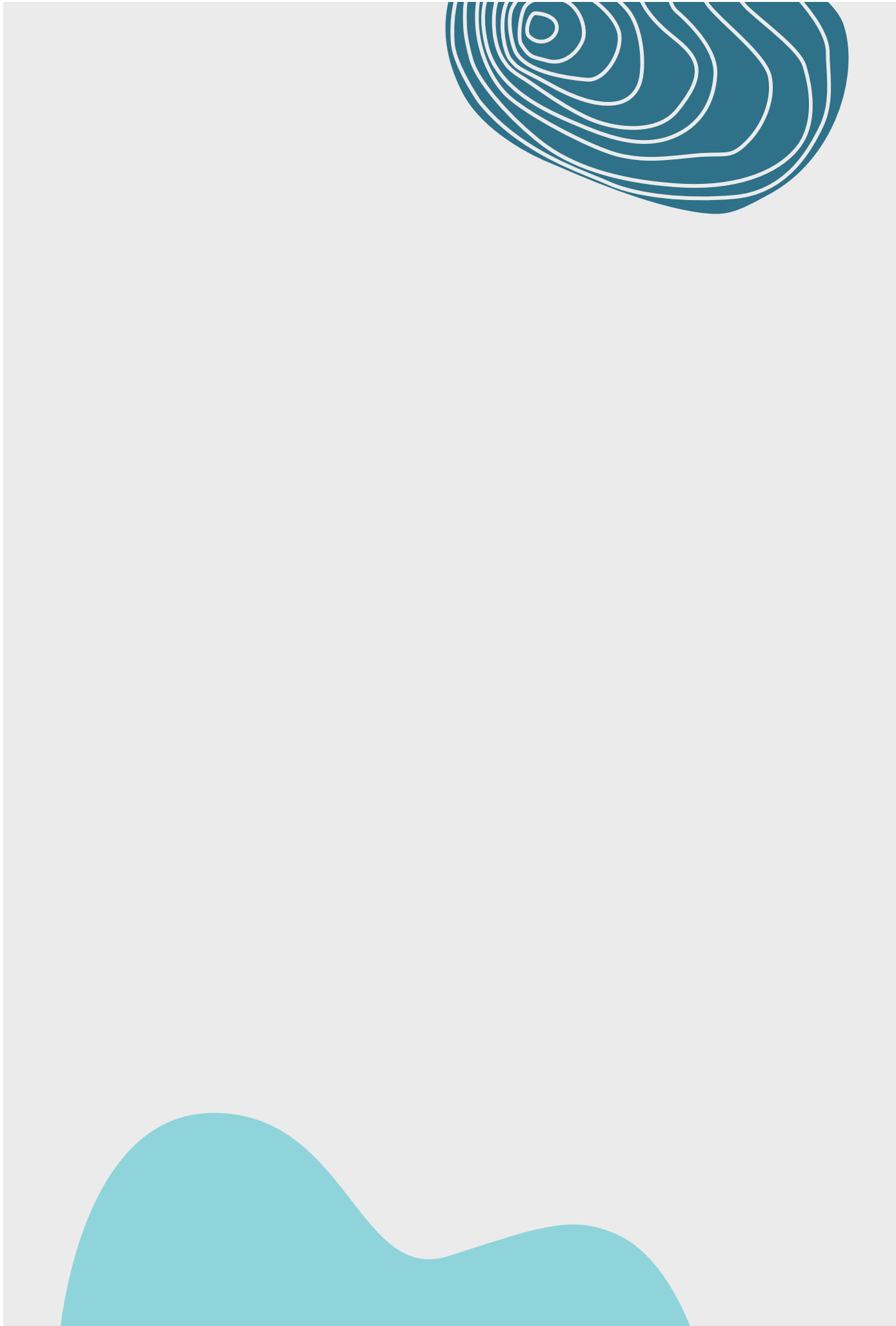


We thank you for your contribution to shaping a modern, inclusive and outcomes-focused road regulation system for NSW.



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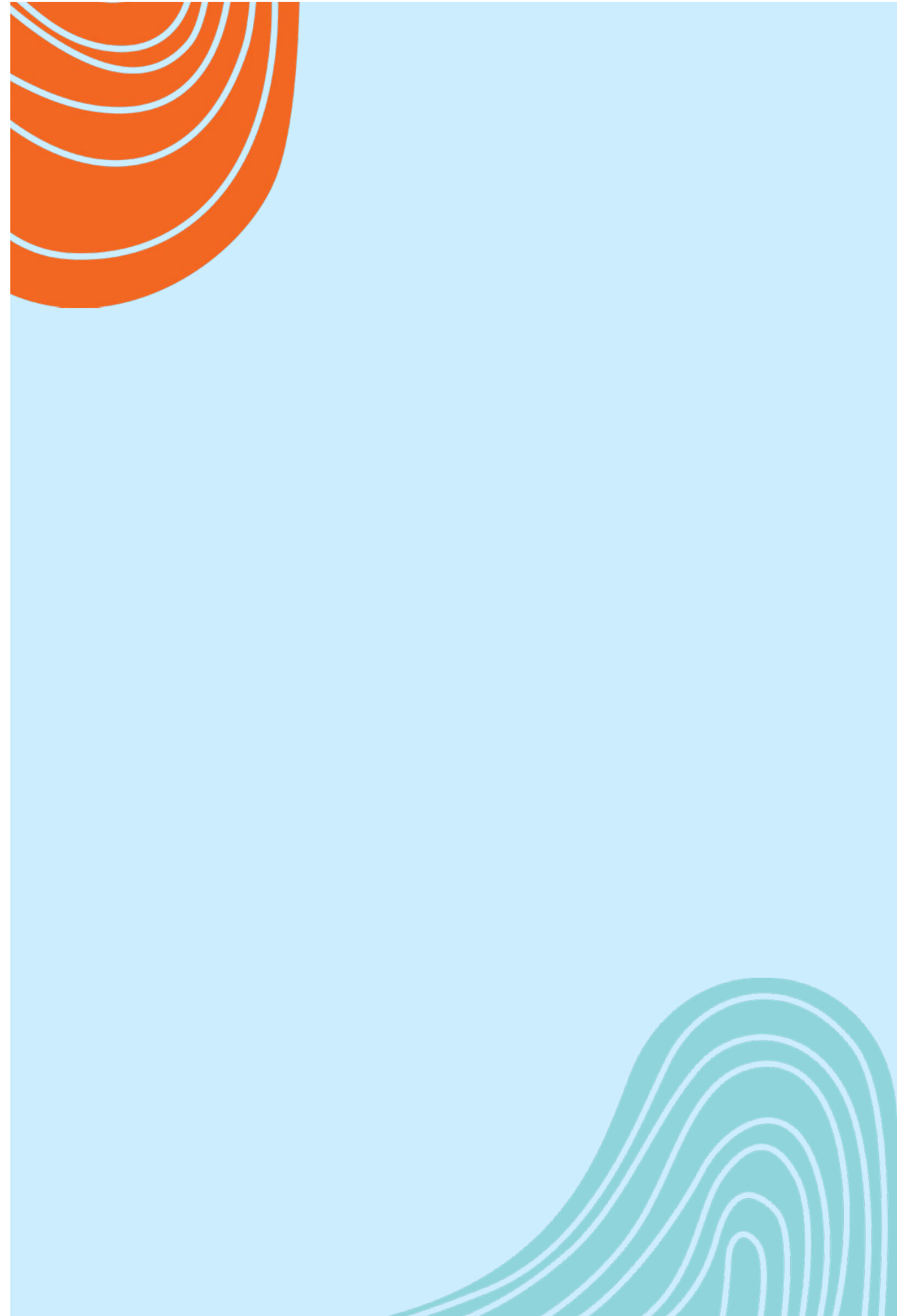
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Transport
for NSW

Review of the *Roads Act 1993* Options Paper
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Our ref: D25/148998

27 October 2025

Roads Act Review project team
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Re: Submission to Review of Roads Act 1993 – Model Options

Waverley Council appreciate the opportunity to provide feedback into this subsequent phase of the review and update of the Roads Act 1993 ("the Act"). Council believes this Act continues to be relevant after over three decades in use, but it is time for an update with a more modern approach that better supports Waverley Council as a roads authority and decision maker, and recognizes that roads serve all road users acknowledging the importance of both traffic movement and the place-making role of streets.

Compared to the rest of Greater Sydney, Waverley is a walking place with 1.3 daily walking trips by Waverley residents compared to 0.65 for Greater Sydney. Waverley residents also walk on average 900m, where the average walk in Greater Sydney is 803m.

Car ownership is also lower with 27.9% of Waverley households stating in 2021 Census that they have no access to a car, compared to 10.8% in Greater Sydney. This is primarily due to Waverley's long term medium density housing and limited road space and enabled by access to shared car membership for over 10% of Waverley residents.

These characteristics illustrate that Waverley needs road regulation which better balances the needs of place throughout the whole community, but even more so along our transport corridors such as Bondi Road. More and more urban centres are developing in a way that emphasises placemaking and vitality, centered around the needs of pedestrians.

Preferred Model – Model 3 Institutional Change

Recommendation

We recommend that TfNSW work toward Model 3, Institutional Change. This is the most effective model with the greatest potential to meet the desired outcomes of the legislation review. However, we understand significant challenges as to NSW Government meeting those outcomes as a benefit for the Waverley and NSW broader community. We therefore recommend Model 3 and view it as our preferred model with several caveats. This includes:

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- A need for a greater understanding of the role of the newly proposed regulator and their relationship to NSW Government, Transport for NSW and councils, as equal partners.
- Requires council input to the development of the underlying legislation, including network plans..
- NSW Government resourcing to support council's ability to provide adequate input to ensure the community benefit.
- Model 3, Institutional Change, requires the simultaneous codification of current practice as per Model 1 and the development of road network plans as per Model 2.

Explanation/Response

Model 3, the creation of an independent regulatory function is a long term option that could provide the most effective framework to support modern legislature as it should establish clear separation between the State's regulatory responsibilities and the operational roles of both Transport for NSW and Council as road authorities, on equal footing.

Balancing local community versus traffic network issues

Model 3 could provide the opportunity to approve road network plans, reconciling Transport for NSW and council needs, which better balance conflicting issues of traffic congestion and safety for pedestrians and other vulnerable users of all roads but especially state roads like Bondi Road which have strong place characteristics along with being a transport corridor. Local and regional roads which also have strong place and transport characteristics such as Campbell Parade and sections of the state road Old South Head Road could be treated in a similar balanced way.

Elements that should have high priority for resolution through approved road network plans include speed zones, pedestrian crossings, including continuous footpaths and other treatments, pedestrian and bike crossings. Signalisation priority requirements could also be documented in network plans as described in Model 2 and approved by the regulator.

Utilities

Model 3 could also address the short comings of the current Roads Act 1993 which grants utilities overriding authority over councils and hinders effective coordination of infrastructure works, despite the intent of guidelines such as iWORCS to promote collaboration. This often leads to situations where newly completed council projects, such as road surfacing or footpath upgrades, are swiftly undone by utility excavations, wasting public funds, and creating unnecessary inconvenience. This is particularly problematic in the Waverley local government area where the narrow streets, high pedestrian traffic and significant development activity further amplify the disruption caused by uncoordinated works leading to safety hazards, traffic congestion and damage to the environment. An independent authority could ensure greater collaboration and communication between utilities and local councils in the planning and execution of infrastructure projects, with specific consideration for the unique needs of each council area.

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Model Dependencies

Model 3 requires the development of road network plans as described under Model 2 which would be approved by the new regulatory body. These are also dependent on a classification system and review of the existing legislation as described under Model 1. Model 3 is a long term objective deliverable dependent on elements from an undertaking of Models 1 and 2.

Model Concerns

There is also significant risk under Model 3 that an acceptable outcome for councils will not be realised due to a range of factors. This could include inadequate council resourcing that results in the inability of councils to adequately communicate and achieve Council's requirements as well as the potential impact of senior-level undue political influence against the community benefit. Our concerns extend to the potential for existing rights on local roads being overridden in a poorly designed legislative model.

Model 1: Codification of current practice**Recommendation**

We recommend undertaking codification of current practice within the legislation both as a precursor to completing the Plan-led and Institutional Change models, as well as clarifying and removing duplication from the existing legislation.

Explanation/Response

Apart from providing a basis for the development of road network plans, the greatest benefit of the codification of current practice would be the opportunity to simplify and streamline the council processes and clarify responsibilities for both Transport for NSW and council. A range of delegations, authorizations and other forms of current practice could be embedded in regulation to reduce complexity and streamline roles, responsibilities and decision-making processes.

Road User Hierarchy

One example of a codification system that would strengthen the Movement and Place framework would be that for road users, similar to that identified in the NSW Government Road User Space Allocation Policy. That policy identifies a hierarchy of road users for consideration, though not necessarily for implementation in road use. Waverley Council Waverley Council's Transport Strategy, People Movement and Places also includes a transport strategy as follows:

- People First
- Then Bicycles
- Public Transport
- Service Vehicles
- Shared Mobility
- Private Vehicles

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This hierarchy is crucial to Waverley due to our long-term medium density housing, limited road space and relatively lower car ownership levels. Walking, cycling and public transport are increasingly important for our residents, but a low car lifestyle is still only sustainable for many, unless there is a high level availability of shared cars within our community. Shared mobility is an important part of Waverley's sustainable and active transport modal mix. We recommend a hierarchy that supports all these levels of mobility with the flexibility to include other impending, or not yet defined modes.

Codification of this hierarchy within the existing legislation is not sufficient to address the policy application, but it serves to strengthen the policy at a legislative level and even more importantly, forms a basis for development of network road plans which can specify what road user prioritization should be applied to specific roads, streets and sections of roads and street.

Expansion of councils delegated powers

A simple review of the existing Roads Act could also have the effect of providing a basis for expanding current delegation to councils which would further streamline process. While not the complete authority at this time, they provide an underlying basis towards that authority.

The legislation could have the effect of providing a basis for expanding Councils' delegated powers for state roads like Bondi Road which have both strong movement and place functions and for enabling more authority for slow speeds zones in local residential areas.

Clarification of ambiguous legislation

A review of the Roads Act as it stands could provide clarification and reduce duplication with greater efficiencies. An example of an area of clarification that is needed is that with respect to the granting or not of driveway access. Section 138 and legal precedent indicates that road authorities such as councils have this discretion, yet this is considered to be in conflict with Section 6 regarding the right of access to public road by owners of adjoining land by vehicle.

Model 2: Plan-led framework

Recommendation

We recommend that while continuing to work toward Model 3, Transport for NSW undertake development of statutory road network plans in conjunction with the relevant council to provide a legal and spatial foundation for road management in NSW. These would address the outcomes proposed by Transport for NSW as documented in the 'Options Paper' and reflect the priorities of the local Waverley community, established through community consultation.

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Councils would be responsible for defining the local road network. Additional resourcing will be needed from the NSW Government for these additional responsibilities.

Responsibility for state road network plans would be a negotiation between Transport for NSW and council, with the final arbiter potentially resulting from the establishment of a regulator (under Model 3).

The controls would partially be a reflection of the codified classifications under Model 1 and set out the proposed network role and function as well as the modal priorities, by road, street or segment of road or street. Regulatory controls such as speed zones, property access restrictions and vehicles access restrictions as well as bus stops and routes would all be reflected in these network plans.

Explanation/Response

Model 2, with its statutory road network plans, expands on the codification process of Model 1, to define specific authority on a range of criteria regarding Waverley roads, streets and sections of roads/streets, whether they currently be local, regional or state roads. This will especially enable council to better manage those roads which have a strong place function, such as Bondi Road and Campbell Parade by making it more walking attractive with safe crossings, either by signalization or along continuous paths. Walking between the Junction and the Beach would be safer and more attractive, as well as general access to and around this commercial strip. There would be more opportunity for people to gather outdoors along this strip.

Protecting Residential Areas

There would be opportunities to protect residential areas from fast and high volume traffic through slower speed zones and measures to discourage the incursion of through traffic. Traffic could be discouraged through modal filters but better outcomes come when there is authority to permit signalisation of key intersections. Currently signalisation and traffic signal control is divorced from street functionality in terms of regulatory authority, with any changes requiring lengthy, opaque processes across Transport for NSW departments.

Implementing reforms

Recommendation

Consideration could also be given to using the “Standard Exemptions” model employed by the Heritage Act that delegates approvals powers to Councils seeking to make changes to heritage items considered significant enough to list on the State Heritage Register

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Explanation/Response

An adaption of these Standard Exemptions employed by the Heritage Act could be used to empower councils to improve the functionality of state and local roads for the betterment of the local community in a range of areas including pedestrian experience, place-making, traffic calming, beautification, inter-change experience (e.g. at Bondi Junction), and bus safety and journey experience, traveller wayfinding and major event management.

Yours sincerely,

Sharon Cassidy
Director, Assets and Operations

REPORT

FC/5.6/25.11



Subject: Diamond Bay, Vaucluse - Local Street Network Review

TRIM No: A20/0069

Manager: Nikolaos Zervos, Executive Manager, Infrastructure Services

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council installs 'No Parking' zones with signage at 12–16 Diamond Bay Road and 5–7 Isabel Avenue, Vaucluse, to improve the functionality of the existing spaces as vehicular bypass areas.

1. Executive Summary

In 2022, Council resolved to investigate a one-way traffic route for Diamond Bay Road, Craig Avenue, and Isabel Avenue, Vaucluse. Based on analysis and community consultation, in July 2025 Council resolved not to proceed with a one-way route or shift kerb lines (widen) the roadway, but to investigate other potential improvement options. This report documents these options and recommends proceeding with 'No Parking' signage at two locations.

2. Introduction/Background

The 'loop' formed by Diamond Bay Road, Craig Avenue and Isabel Avenue provides bidirectional vehicular traffic flow. The three constituting streets are characterised by narrow travelways, requiring opposing vehicular traffic to give way or yield where space permits. These are often referred to as 'yield' streets. They also typically provide on-street parking on both sides and are generally low-speed. These technical characteristics were documented in a report to Council on 1 July 2025.

The July Council report also provided outcomes related to assessments that included the conversion of the loop to a one-way network, and the removal of parking or shifting of the kerb line to widen the travelway. The report noted that a one-way conversion had limited community support, benefit or alignment with strategic objectives. It also provided commentary on the challenges with providing additional bypass options, given these would also need to reallocate on-street parking.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Strategic Planning and Development Committee 1 July 2025	PD/5.5/25.07	That Council: 1. Retains two-way traffic in Diamond Bay Road, Craig Avenue, and Isabel Avenue, Vaucluse, as the introduction of a one-way traffic route: (a) Does not have clear support from local residents. (b) Would lead to higher vehicle speeds and

		safety concerns. (c) May affect driver expectations and cause compliance issues with the one-way direction. (d) Would lead to increased travel distance for residents. 2. Does not pursue the following alternative options at this time: (a) Shifting the kerb line. 3. Investigates improvements to traffic flow through: (a) Widening the travelway at the intersection of Isabel Avenue and Diamond Bay Road. (b) Installing passing bays with identification signage including at locations between: (i) 28–30A Diamond Bay Road. (ii) 12–16 Diamond Bay Road. (iii) 5–7 Isabel Avenue. (c) Widening Isabel Avenue with preference to the southern side by the use of culverts similar to the works done on the Military Road widening. 4. Continues to monitor transport conditions in the area. 5. Informs the Vaucluse/Diamond Bay Precinct of this resolution and consults the Precinct on the proposed investigation. 6. Officers prepare a report to Council no later than September on options and costings.
Council 15 November 2022	CM/8.10/22.11	That Council investigates introducing a one-way traffic route for Diamond Bay Road, Craig Avenue and Isabel Avenue, Vaucluse, by: 1. Surveying residents. 2. Officers preparing a report for Council.

4. Discussion

The following discussion is structured to align with the three areas of further investigation as directed by the July Council resolution (PD/5.5/25.07) noted above.

Intersection travelway widening

Clause 3(a) of the July Council resolution seeks to investigate widening the travelway at the intersection of Isabel Avenue and Diamond Bay Road. It is understood that this is intended to mean the travelway(s) leading up to or departing from the intersection, not the intersection itself. Intersections, by nature of facilitating crossing vehicle paths, do not have defined travelways in the sense that linear corridors do.

The approach and departure vehicular travel lane on Diamond Bay Road immediately east of the intersection are both nominally 3.0 metres wide. These are standard widths for a low volume road facilitating simultaneous bidirectional vehicular traffic flow.

North and south of the intersection, Diamond Bay Road (north) and Isabel Avenue, operate as yield streets. This means the travelway at any given time facilitates traffic flow in opposing directions, requiring vehicle drivers to give way where pockets of wider travelway exist (often at driveways). As such, they also do not provide specific and marked directional lanes, as the general travel way is not wide enough. As noted in the 1 July officer report, to increase the width of these travelways without shifting the kerb line (i.e. widening the road), existing parking would need to be removed via a 'No Stopping' zone or similar. The consultation process documented in the 1 July report to Council noted a strong desire to retain parking.

Council installs 'No Stopping' zones to enhance intersection safety, particularly where intersections support pedestrian movements. The existing intersection has limited pedestrian infrastructure. There is also no recent history of recorded collisions at the intersection. As such, this suggests that sightlines are not a key concern, and that driver comfort more so than safety may be of consideration. This qualitative consideration is further informed through past resident feedback: the consultation's open commentary feedback did not indicate that the intersection was of key concern or that there was a unified community desire for its widening.

The retention of on-street parking emerged as a key community desire. There are currently limited benefits to widening the travelways through the reallocation of on-street parking. As such, this initiative is not recommended.

Bypassing bays

The 1 July Council resolution resolved to investigate the installation of passing (bypass) bays at three defined locations. Table 1 below evaluates these locations and proposes treatments:

Table 1. Bypassing bay assessment.

Location	Assessment	Proposal
28–30A Diamond Bay Road	This location contains three closely spaced driveways, such that it functions as an approximately 16 metre long 'No Parking' zone. It is also formally signposted as such. 16 metres adequately accommodates bypassing vehicles.	No further treatment necessary.

12–16 Diamond Bay Road	This location contains three closely spaced driveways and extends to the driveway of 10 Diamond Bay Road. The space between the driveways is not large enough to provide compliant parking spaces. Noting however cars do get parked in these locations. The total kerb distance, including the distance between the three driveways is about 21 metres. This is adequate to facilitate bypassing. It is not currently signposted as a No Parking zone.	Formalise a ‘No Parking’ zone with signage.
5–7 Isabel Avenue	This location contains two adjacent driveways. The total kerb distance used by the two driveways is about 10 metres. This is adequate to facilitate bypassing. It is not currently signposted as a ‘No Parking’ zone.	Formalise a ‘No Parking’ zone with signage.

It should be noted that there is no regulatory or formal signage to indicate a section of roadway as a bypass zone. These spaces are typically provided by designating ‘No Parking’ or ‘No Stopping’ zones. To align with Road Rules, areas with driveways should be formally designated as ‘No Parking’ zones. For the two locations noted in Table 1 above, adding this signage will not change the regulatory condition of the spaces, as driveways are already unavailable for general public on-street parking. ‘No Parking’ signage may improve visibility and compliance, such that it may support more consistent bypass bay functionality.

Additionally, officers will investigate advisory signage to reflect ‘passing bay’ or ‘bypass zone’ that can accompany the regulatory ‘No Parking’ signage in these three locations.

Isabel Avenue widening

The 1 July Council resolution resolved to investigate the widening of Isabel Avenue, with a preference to the southern side by the use of culverts similar to the works completed as part of the Military Road widening—see clause 3(c). The 1 July Council resolution also resolved not to further investigate the alternative of ‘shifting the kerb line’—see clause 2(a).

It is understood that there may have been a misinterpretation of wording included in the original 1 July officer report. It is also understood that the ‘culverts’ such as those on Military Road are in reference to the new dish drains (concrete swales) completed in early 2021 at select pinch points. Shifting the kerb line—as noted in clause 2(a)—necessarily entails road widening. The kerb line was also shifted when installing the dish drains on Military Road. As noted in the 1 July officer report, shifting the kerb line is estimated to cost between \$500,000 to \$1,000,000. The cost is anticipated to be on the higher end of the noted range were concrete dish drains to be implemented.

On the basis that shifting kerb lines (to widen) and widening with the installation of dish drains (‘culverts’) have a similar project definition, this initiative is not recommended to be progressed.

5. Financial Impact

The cost for signage to be used for bypass bays will be covered by existing budgets.

6. Risks/Issues

The installation of 'No Parking' signage will add to street clutter and may be perceived by some residents as a nuisance or as removing their ability to park in their driveways. These risks are not considered material.

7. Attachments

Nil.

REPORT
FC/5.7/25.11

Subject: Return and Earn Collection Points

TRIM No: A17/0647

Manager: Shane Smith, Executive Manager, Waste, Cleansing and Fleet

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council notes the update on additional Return and Earn collection points, as set out in the report.

1. Executive Summary

As per Council resolution CM/8.12/25.08, Council officers wrote to TOMRA Cleanaway to request that additional collection Return and Earn collection points be installed throughout the Waverley local government area, with a focus on the Bondi Beach area.

At the time of writing this report, TOMRA has not written back formally to Council in response to Council's letter.

2. Introduction/Background

TOMRA Cleanaway is a joint venture partnership between TOMRA, a global leader in sorting technology, and Cleanaway, Australia's largest waste and resource recovery company. Formed in 2017 to deliver the NSW container deposit scheme as the government-appointed network operator for Return and Earn, TOMRA Cleanaway has provided a modern, convenient and accessible container deposit scheme for the 8 million citizens of NSW.

The Environment Protection Authority (EPA) is responsible for the design and development of the Return and Earn scheme. The EPA manage the registration of all eligible beverage containers and the obligations and performance of contracts with the scheme coordinator and network operator.

The Return and Earn scheme will expand in mid-2027 to include wine and spirit bottles, cordial and concentrate containers, and larger sized drink containers. The expansion will see up to an additional 362 million containers eligible for the scheme each year, including 196 million glass bottles. This will boost recycling rates, reduce landfill, and help NSW deliver a circular economy.

At its meeting on 19 August 2025, Council resolved to write to TOMRA to request that additional collection points be installed throughout the Waverley local government area, with a focus on the Bondi Beach area.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 19 August 2025	CM/8.12/25.08	That Council: 1. Notes the success of the NSW Container Deposit Scheme, with over 38 million eligible containers

		collected every week. 2. Notes that the current collection point at Vaucluse, the four collection points at Bondi Junction and the monthly collection at Bronte Surf Life Saving Club provide limited locations for residents and visitors to utilise the scheme. 3. Writes to Tomra to request that additional collection points be installed throughout the Waverley local government area, with a focus on the Bondi Beach area. 4. Officers prepare a report to Council on the outcome no later than the September 2025 Council meeting.
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4. Discussion

As per resolution CM/8.12/25.08, Council officers wrote to TOMRA Cleanaway to request that additional collection points be installed throughout the Waverley local government area, with a focus on the Bondi Beach area.

At the time of writing this report, TOMRA has not written back formally to Council in response to Council's letter.

However, in other recent correspondence with Council officers TOMRA had asked if Hugh Bamford Reserve could be an option for an additional collection point. The proposal would have resulted in the loss of two parking spaces. As Hugh Bamford Reserve is Crown land and there is limited parking available to support the park and Hugh Bamford Reserve Hall, this was not supported.

Council officers suggested that TOMRA could explore the Sydney Water Site within Dudley Page Reserve as a possible location for consideration. Due to the proximity to residential properties, TOMRA determined that this site does not meet their criteria.

Ongoing communications will continue to be pursued with TOMRA on potential sites.

5. Financial Impact

Nil.

6. Risks/Issues

Council will continue to review proposed locations for additional collection points to balance competing needs for public spaces.

7. Attachments

Nil.

CLOSED SESSION

FC/7/25.11



WAVERLEY
COUNCIL

Subject: Moving into Closed Session

Author: Emily Scott, General Manager

RECOMMENDATION:

That:

1. Council moves into closed session to deal with the matters listed below, which are classified as confidential under section 10A(2) of the *Local Government Act* for the reasons specified:

FC/7.1/25.11 CONFIDENTIAL REPORT - Procurement Exemption - Fire Services Maintenance

This matter is considered to be confidential in accordance with Section 10A(2)(d)(i) of the *Local Government Act*, and the Committee is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

2. Pursuant to section 10A(1), 10(2) and 10A(3) of the *Local Government Act*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the *Local Government Act*.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act*.

Introduction/Background

In accordance with section 10A(2) of the Act, Council may close part of its meeting to deal with business of the following kind:

- (a) Personnel matters concerning particular individuals (other than councillors).
- (b) Personal hardship of any resident or ratepayer.
- (c) Information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) Commercial information of a confidential nature that would, if disclosed:
 - (i) Prejudice the commercial position of a person who supplied it: or
 - (ii) Confer a commercial advantage on a competitor of Council;
 - (iii) Reveal a trade secret.
- (e) Information that would, if disclosed, prejudice the maintenance of law.
- (f) Matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) Advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) Information concerning the nature and location of a place or an item of Aboriginal significance on community land.

- (i) Alleged contraventions of any Code of Conduct requirements applicable under section 440.

It is my opinion that the business listed in the recommendation is of a kind referred to in section 10A(2) of the *Local Government Act 1993* and, under the provisions of the Act and the *Local Government (General) Regulation 2021*, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clauses 14.9–14.10 of the Waverley Code of Meeting Practice, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

RESUMING IN OPEN SESSION FC/8/25.11

Subject: Resuming in Open Session

Author: Emily Scott, General Manager



RECOMMENDATION:

That Council resumes in open session.

Introduction/Background

In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumes in open session the chair will announce the resolutions made by Council while the meeting was closed to members of the public and the media.