



New South Wales

# Transport Legislation Amendment Act 2025 No 66

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New South Wales

# **Transport Legislation Amendment Act 2025 No 66**

Act No 66, 2025

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An Act to amend various Acts relating to Transport portfolio matters; and to make consequential amendments. [Assented to 28 October 2025]

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**The Legislature of New South Wales enacts—**

**1 Name of Act**

This Act is the *Transport Legislation Amendment Act 2025*.

**2 Commencement**

This Act commences as follows—

- (a) for Schedules 4, 5.2, 5.3 and 5.5[1]—on a day or days to be appointed by proclamation,
- (b) otherwise—on the date of assent to this Act.

## **Schedule 1      Miscellaneous amendments to Transport Administration Act 1988 No 109**

**[1]    Section 68M, heading**

Omit the heading. Insert instead—

**68M    Non-executive employees and senior managers acting in senior executive or senior manager roles**

**[2]    Section 68MA**

Insert after section 68M—

**68MA    Senior executive acting in senior executive role in higher band**

- (1) The Transport Secretary may assign a Transport Service senior executive to act in the role of a Transport Service senior executive in a higher band than the band in which the executive is employed if—
  - (a) the person who is usually assigned to the other role is unavailable for any reason, or
  - (b) there is no person performing duties in the other role for the time being.
- (2) While assigned to act in the role of a Transport Service senior executive in the higher band, the person has, subject to any determination by the Transport Secretary, all the functions of the executive.
- (3) An assignment to act in the role of a Transport Service senior executive under this section may be terminated at any time by the Transport Secretary.
- (4) This section does not prevent the payment of an applicable allowance to a person when assigned to act in the role of a Transport Service senior executive under this section.

**[3]    Schedule 6A Powers relating to rail infrastructure facilities and land**

Omit “and rail infrastructure facilities” from clause 3(3).

Insert instead “, rail infrastructure facilities and land adjacent to railway land”.

**[4]    Schedule 6A, clause 3(6), definition of “land adjacent to railway land”**

Omit the definition. Insert instead—

*land adjacent to railway land* means the following—

- (a) land that is adjacent to or adjoins land owned or occupied by a rail authority,
- (b) land that is adjacent to or adjoins land in or on which—
  - (i) rail infrastructure facilities are located, or
  - (ii) a railway building is situated, or
  - (iii) an infrastructure owner or a building owner has an interest by way of easements or stratum parcel,
- (c) land in or on which rail infrastructure facilities are or a railway building is situated in which an infrastructure owner or a building owner has an interest by way of easements or stratum parcel.

## **Schedule 2      Amendments about dissolution of Residual Transport Corporation**

### **2.1 Transport Administration Act 1988 No 109**

**[1] Section 3 Definitions**

Omit section 3(1), definition of *Residual Transport Corporation* or *RTC*.

**[2] Section 3B Ministerial responsibility and delegation**

Omit “Motorways,” from section 3B(1)(f1). Insert instead “Motorways.”

**[3] Section 3B(1)(g)**

Omit the paragraph.

**[4] Section 3G Directions by TfNSW to certain transport authorities**

Omit section 3G(1)(f1).

**[5] Section 3I Delegation of TfNSW's functions**

Omit section 3I(3), definition of *authorised person*, paragraph (a1).

**[6] Section 3J Acceptance of delegated functions by TfNSW**

Omit “, RTC” from section 3J(1).

**[7] Section 3J(3)**

Omit the subsection.

**[8] Section 36C Other functions of Sydney Trains**

Omit “, RTC” from section 36C(2)(e).

**[9] Section 37C Other functions of NSW Trains**

Omit “, RTC” from section 37C(2)(e).

**[10] Section 55A Definition of “transport authority”**

Omit section 55A(h).

**[11] Section 68C Employment in the Transport Service**

Omit “, NSW Trains or RTC” wherever occurring in section 68C(2).

Insert instead “or NSW Trains”.

**[12] Section 68Q Miscellaneous provisions relating to the Transport Service**

Omit “, Sydney Metro or RTC” wherever occurring in section 68Q(5)(c) and (6).

Insert instead “or Sydney Metro”.

**[13] Section 68Q(5) and (6)**

Omit “, RTC” wherever occurring in section 68Q(5) and (6).

**[14] Section 68Q(10)(f1)**

Omit “functions, or” from section 68Q(10)(f1).

Insert instead “functions.”

- [15] Section 68Q(10)(g)**  
Omit the paragraph.
- [16] Section 81A Definition**  
Omit the definition of *Authority*, paragraph (g).
- [17] Section 89 Definitions**  
Omit “, RTC” from the definition of *rail authority*.
- [18] Section 89, definition of “State rail operator”**  
Omit “, RTC”.
- [19] Section 111 Referral of disputes**  
Omit “RTC and” from section 111(3), definition of *transport authority*.
- [20] Section 111(3), definition of “transport authority”**  
Omit “(including RTC)”.
- [21] Section 112 Personal liability of certain persons**  
Omit section 112(2), definition of *member of a transport authority*, paragraph (b).
- [22] Section 112(2), definition of “transport authority”, paragraph (a1)**  
Omit the paragraph.
- [23] Section 113 Presumption of validity**  
Omit section 113(3).
- [24] Section 115 Recovery of charges etc by transport authority**  
Omit “RTC and” from section 115(2), definition of *transport authority*.
- [25] Section 116 Liability of vehicle owner for parking offences on Authority’s land**  
Omit “, RTC” from section 116(7), definition of *parking offence*.
- [26] Schedule 1 Functions of Transport for NSW**  
Omit “, RTC” wherever occurring in clause 1(i).
- [27] Schedule 1, clause 4A(4), definition of “transport authority”, paragraph (c3)**  
Omit the paragraph.
- [28] Schedule 1, clause 5(7)**  
Omit “RTC and”.
- [29] Schedule 4 Transfer of assets, rights and liabilities**  
Omit “, TAM or RTC” from clause 14(1)(a).  
Insert instead “or TAM”.
- [30] Schedule 6A Powers relating to rail infrastructure facilities and land**  
Omit “, RTC” from clause 1, definition of *rail authority*, paragraph (a).

**[31] Schedule 6A, clause 1B(2)**

Omit “, NSW Trains or RTC”. Insert instead “or NSW Trains”.

**[32] Schedule 7 Savings, transitional and other provisions**

Insert at the end of the schedule, with appropriate part and clause numbering—

## **Part Dissolution of Residual Transport Corporation**

### **Dissolution of Residual Transport Corporation**

(1) The Residual Transport Corporation is dissolved.

(2) The Residual Transport Corporation Fund is abolished.

**[33] Schedule 9 Residual Transport Corporation**

Omit the schedule.

## **2.2 Transport Administration (General) Regulation 2018**

**[1] Clause 3 Definitions**

Omit “RTC land,” from clause 3(1), definition of *Authority land*.

**[2] Clause 3(1), definition of “relevant Authority”, paragraph (c)**

Omit the paragraph.

**[3] Clause 3(1), definition of “RTC land”**

Omit the definition.

## **2.3 Criminal Procedure Regulation 2017**

### **Schedule 3 NSW Government agencies and statutory bodies required to pay court fees**

Omit “Residual Transport Corporation”.

## **2.4 Local Government Act 1993 No 30**

**[1] Section 555 What land is exempt from all rates?**

Omit “Residual Transport Corporation of New South Wales or” from section 555(1)(g1).

**[2] Section 600 Rebates in respect of certain land vested in public bodies**

Omit “Residual Transport Corporation of New South Wales,” from section 600(9), definition of *public body*.

**[3] Section 742 Dispute resolution**

Omit the matter relating to Residual Transport Corporation of New South Wales from section 742(7), definition of *Department of the Government*.

## **2.5 Pipelines Act 1967 No 90**

### **Section 3 Definitions**

Omit “Residual Transport Corporation of New South Wales,” from section 3(1), definition of *public authority*, paragraph (a).

## **2.6 Public Spaces (Unattended Property) Regulation 2022**

### **[1] Schedule 2 Authorities and areas of operations**

Omit “Metro,” from clause 14(1)(d). Insert instead “Metro.”

### **[2] Schedule 2, clause 14(1)(e)**

Omit the paragraph.

## **2.7 Roads Act 1993 No 33**

### **Section 94 Roads authority may carry out drainage work across land adjoining public road etc**

Omit “Residual Transport Corporation of New South Wales,” from section 94(2).

## **2.8 Rural Fires Act 1997 No 65**

### **[1] Section 27 Permission needed from transport authorities for exercise of certain functions**

Omit section 27(4), definition of *transport authority*, paragraph (d).

### **[2] Section 100A Definitions**

Omit “, Transport Asset Manager of New South Wales or Residual Transport Corporation of New South Wales” from section 100A(1), definition of *managed land*, paragraph (c).

Insert instead “or Transport Asset Manager of New South Wales”.

### **[3] Dictionary**

Omit “Residual Transport Corporation of New South Wales,” from the definition of *managed land*, paragraph (c).

## **2.9 Water Act 1912 No 44**

### **[1] Section 12 Licence**

Omit “Residual Transport Corporation of New South Wales,” from section 12(3).

### **[2] Section 14 Renewal**

Omit “Residual Transport Corporation of New South Wales,” from section 14(1B).

## **2.10 Water Management (General) Regulation 2025**

### **[1] Schedule 4 Access licence and approval exemptions**

Omit “Trains,” from section 40(b). Insert instead “Trains.”.

### **[2] Schedule 4, section 40(c)**

Omit the paragraph.

## **2.11 Water (Part 2—General) Regulation 1997**

### **Clause 27 Public authorities**

Omit “Residual Transport Corporation”.



## **2.12 Water (Part 5—Bore Licences) Regulation 1995**

### **Clause 8 Prescribed public authorities: sec 116A**

Omit “Residual Transport Corporation”.

## **Schedule 3 Amendments about dissolution of SRA Residual Holding Corporation**

### **3.1 Transport Administration Act 1988 No 109**

**[1] Section 3 Definitions**

Omit section 3(1), definition of *State Rail Authority Residual Holding Corporation* (or *SRA Residual Holding Corporation*).

**[2] Section 94 Transfers of assets, rights and liabilities**

Omit “the SRA Residual Holding Corporation,” from section 94(6).

**[3] Section 94(7)**

Omit the subsection.

**[4] Schedule 7 Savings, transitional and other provisions**

Insert at the end of the schedule, with appropriate part and clause numbering—

### **Part Dissolution of SRA Residual Holding Corporation**

#### **Date of dissolution of SRA Residual Holding Corporation**

To avoid doubt, the State Rail Authority Residual Holding Corporation, also known as the SRA Residual Holding Corporation, is taken to have been dissolved on 30 June 2025.

**Note—**A proclamation dissolving the State Rail Authority Residual Holding Corporation was notified on the NSW legislation website on 27 June 2025 and published in the Gazette on 1 July 2025.

**[5] Schedule 8 SRA Residual Holding Corporation**

Omit the schedule.

### **3.2 Government Sector Finance Regulation 2024**

**Section 6 Accountable authorities—the Act, s 2.7(3)**

Omit section 6(b)(ii).

### **3.3 Local Government Act 1993 No 30**

**[1] Chapter 15 How are councils financed?**

Omit “, the State Rail Authority Residual Holding Corporation” from Part 8, Division 2, note.

**[2] Section 600 Rebates in respect of certain land vested in public bodies**

Omit “the State Rail Authority Residual Holding Corporation,” from section 600(9), definition of *public body*.

## **Schedule 4 Amendments relating to Port Authority of New South Wales**

### **4.1 Ports and Maritime Administration Act 1995 No 13**

**[1] Section 3 Definitions**

Omit “Newcastle Port Corporation established under this Act” from section 3(1), definition of *Port Authority of New South Wales*.

Insert instead “corporation established under section 6”.

**[2] Section 3(1), definition of “Port Corporation”**

Omit “Newcastle Port Corporation established under section 6 (known as the Port Authority of New South Wales)”.

Insert instead “Port Authority of New South Wales”.

**[3] Part 2, heading**

Omit the heading. Insert instead—

### **Part 2 Port Authority of New South Wales**

**[4] Part 2, Division 1**

Omit the division. Insert instead—

#### **Division 1 Establishment of Port Authority of New South Wales**

**6 Establishment of Port Authority of New South Wales**

- (1) There is constituted by this Act a corporation with the corporate name of the Port Authority of New South Wales, also known in this Act as the Port Corporation.
- (2) The Port Authority of New South Wales is the same entity as and the continuation of the Newcastle Port Corporation.

### **4.2 Aware Super Act 1992 No 100**

**Schedule 1 Employers**

Omit “Newcastle Port Corporation”.

Insert instead “Port Authority of New South Wales”.

### **4.3 Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021**

**Section 53A Persons with function of issuing subdivision certificates—the Act, s 6.5A**

Omit “Newcastle Port Corporation” from section 53A(1)(a).

Insert instead “Port Authority of New South Wales”.

#### **4.4 Marine Pollution Act 2012 No 5**

##### **Section 3 Definitions**

Omit “Newcastle Port Corporation” from the definition of *Port Authority of New South Wales*.

Insert instead “Port Authority of New South Wales”.

#### **4.5 State Authorities Non-contributory Superannuation Act 1987 No 212**

##### **Schedule 1 Employers**

Omit “Newcastle Port Corporation” from Part 1.

Insert instead “Port Authority of New South Wales”.

#### **4.6 State Authorities Superannuation Act 1987 No 211**

##### **Schedule 1 Employers**

Omit “Newcastle Port Corporation” from Part 1.

Insert instead “Port Authority of New South Wales”.

#### **4.7 State Environmental Planning Policy (Transport and Infrastructure) 2021**

##### **Clauses 2.80(1)(a) and (3), 2.81(2), 2.82, 2.83(1) and 2.84(c)(i)**

Omit “Newcastle Port Corporation” wherever occurring.

Insert instead “Port Authority of New South Wales”.

#### **4.8 State Owned Corporations Act 1989 No 134**

##### **Schedule 5 Statutory SOCs**

Omit “Newcastle Port Corporation”.

Insert instead “Port Authority of New South Wales”.

#### **4.9 Superannuation Act 1916 No 28**

##### **Schedule 3, Part 1 and Schedule 26, Part 1**

Omit “Newcastle Port Corporation” wherever occurring.

Insert instead “Port Authority of New South Wales”.

## Schedule 5 Miscellaneous amendments of other legislation

### 5.1 Community Improvement Districts Act 2025 No 25

**[1] Section 13 CID proposal ballot**

Insert after section 13(2)(b)—

- (b1) only one person may vote for each business or commercial enterprise operating within the boundaries of the CID, and

**Note—** There is only one vote per business. If a business is operated by 3 persons, for example as a partnership, only one person may vote.

**[2] Section 33 Application of Act to government land**

Insert after section 33(2)—

- (2A) The land or the specified part of the land referred to in subsection (2) is taken—

- (a) for this Act—to be rateable land categorised as business under the *Local Government Act 1993*, and
- (b) for section 22(9)(a)—to be not exempt from rates under the *Local Government Act 1993*, section 555.

**[3] Section 34 Meaning of “government land”**

Omit section 34(1)(a).

### 5.2 Marine Pollution Act 2012 No 5

**Section 135 Requirement to carry garbage record book on board ship**

Omit “400” wherever occurring in section 135(2)(b) and (3), definition of *prescribed ship*, paragraph (a).

Insert instead “100”.

### 5.3 Ports and Maritime Administration Act 1995 No 13

**[1] Section 46A Meaning of “lines handling service”**

Insert after section 46A(1)(b)—

- (b1) a vessel, or a vessel of a kind, identified by the harbour master for the port concerned by a direction given in a way specified in the *Marine Safety Act 1998*, section 88(5),

**[2] Section 46Y, heading**

Insert “vessels,” after “enter”.

**[3] Section 46Y**

Insert “a vessel,” after “enter”.

**[4] Section 46ZD Regulations about provision of licensed services and licences**

Omit “applications relating to” from section 46ZD(2)(f).

**[5] Section 110 Regulations**

Insert after section 110(1B)(b)—

- (b1) requiring, or authorising the Minister to require, port operators and relevant port authorities to give records or information about delivery orders or manifests to the Minister or TfNSW,
- (b2) requiring, or authorising the Minister to require, port operators of private ports to give records or information about port operator directions and port charges to the Minister or TfNSW,
- (b3) requiring, or authorising the Minister to require, a master of a vessel in a pilotage port to obtain the approval of the relevant authority for the pilotage port before undertaking specified activities,

**[6] Schedule 4 Regulations to promote competition and productivity at ports**

Insert after clause 7—

**8 Unique identification numbers**

Provision and use of unique identification numbers for access to land-based port facilities or services or facilities and services of the port-related supply chain.

**5.4 Road Transport Act 2013 No 18**

**Section 134 Approval of devices by Governor**

Omit section 134(3).

**5.5 Roads Act 1993 No 33**

**[1] Section 77A**

Insert after section 77—

**77A Road work speed limit signs**

- (1) A roads authority must install, maintain and remove road work speed limit signs in accordance with the standard.
- (2) A roads authority must ensure that a person acting on behalf of the roads authority, whether under a contract or another arrangement, must install, maintain and remove road work speed limit signs in accordance with the standard.
- (3) In this section—

*standard* means a standard that includes provisions about the installation, maintenance and removal of road work speed limit signs, published by TfNSW in the Gazette from time to time.

**Note—** Under section 120 the Minister may order a roads authority to take or not take action in relation to the regulation of traffic on a public road as specified in the order.

**[2] Section 144B Roads authority not to obstruct light rail system**

Omit “section 186 of the *Law Enforcement (Powers and Responsibilities) Act 2002*” from section 144B(4).

Insert instead “the *Road Transport Act 2013*, section 148B”.

[Second reading speech made in—

Legislative Council on 9 September 2025

Legislative Assembly on 22 October 2025]