

City of Sydney Amendment (Central Sydney Traffic and Transport Committee) Act 2012 No 47

[2012-47]



New South Wales

Status Information

Currency of version

Repealed version for 26 June 2012 to 5 October 2012 (accessed 23 November 2024 at 6:14)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

Provisions in force

The provisions displayed in this version of the legislation have all commenced.

Notes—

- **Repeal**

The Act was repealed by sec 30C of the [Interpretation Act 1987 No 15](#) with effect from 6.10.2012.

Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

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City of Sydney Amendment (Central Sydney Traffic and Transport Committee) Act 2012 No 47



New South Wales

An Act to amend the *City of Sydney Act 1988* to establish the Central Sydney Traffic and Transport Committee; and for other purposes.

1 Name of Act

This Act is the *City of Sydney Amendment (Central Sydney Traffic and Transport Committee) Act 2012*.

2 Commencement

- (1) This Act commences on the date of assent to this Act, except as provided by subsection (2).
- (2) So much of Schedule 1 [6] as inserts sections 51L, 51M and 51N into the *City of Sydney Act 1988* commences on a day or days to be appointed by proclamation.

Schedule 1 Amendment of *City of Sydney Act 1988 No 48*

[1]-[5] (Repealed)

[6] Part 4A

Insert after section 51:

Part 4A Central Sydney Traffic and Transport Committee

Division 1 Preliminary

51A Object of Part

The object of this Part is to establish a committee consisting of representatives of the State government and the City Council to provide for effective co-ordination of transport and traffic management in so much of the City of Sydney as comprises the

Sydney Central Business District.

51B Definitions

In this Part:

public road has the same meaning as it has in the [Roads Act 1993](#).

road related area means:

- (a) an area that divides a public road, or
- (b) a footpath or nature strip adjacent to a public road, or
- (c) an area that is open to the public and is designated for use by cyclists or animals, or
- (d) an area that is not a public road and that is open to or used by the public for driving, riding or parking vehicles, or
- (e) a shoulder of a public road, or
- (f) any other area that is open to or used by the public and that has been declared under section 51Q to be an area to which provisions of this Part apply.

road work, in relation to a public road or road related area within the meaning of this Part, has the same meaning as it has in relation to a road in the [Roads Act 1993](#) and **carry out road work** includes carry out any activity in connection with the construction, erection, installation, maintenance, repair, removal or replacement of a road work.

Sydney CBD parking authority, in relation to an area within the Sydney CBD, has the same meaning in relation to that area as it has for that area in the [Road Transport \(Safety and Traffic Management\) Regulation 1999](#).

Sydney CBD roads authority means the following roads authorities (within the meaning of the [Roads Act 1993](#)):

- (a) for a public road within the Sydney Central Business District vested in the Barangaroo Delivery Authority—that Authority,
- (b) for a public road within the Sydney Central Business District vested in the Sydney Harbour Foreshore Authority—that Authority,
- (c) for any other public road within the Sydney Central Business District other than a public road for which another public authority is declared under the [Roads Act 1993](#) to be the roads authority—the City Council.

traffic includes vehicular, pedestrian and all other forms of traffic.

traffic control facility, in relation to a public road or road related area within the meaning of this Part, has the same meaning as it has in relation to a road or road related area in Part 6 of the *Transport Administration Act 1988* and **carry out traffic control work** includes carry out any activity in connection with the construction, erection, installation, maintenance, repair, removal or replacement of a traffic control facility.

51C Relationship of Part to other Acts

This Part does not affect the application of any provision of the Planning Act or any traffic and transport legislation except to the extent (if any) as is necessary to give effect to the provisions of this Part.

Division 2 Establishment of the Central Sydney Traffic and Transport Committee

51D Central Sydney Traffic and Transport Committee

- (1) There is established by this Act a committee consisting of representatives of the State government and the City Council to be known as the Central Sydney Traffic and Transport Committee.
- (2) The CSTTC has the functions conferred or imposed on it by or under this or any other Act.
- (3) The CSTTC is, by virtue of this section, a corporation.
- (4) Transport for NSW must provide the CSTTC with such administrative support, including staff and facilities, as is reasonably necessary for CSTTC to exercise its functions.

51E Area of operations and ambit of powers of CSTTC

- (1) The **area of operations** of the CSTTC means the Sydney Central Business District.
- (2) A function conferred or imposed by or under this Act on the CSTTC may be exercised only in relation to its area of operations.

51F Status of CSTTC

The CSTTC is, for the purposes of any Act, a NSW Government agency.

51G Members of CSTTC

- (1) The CSTTC is to consist of the following 7 members:
 - (a) the Director-General of the Department of Transport, who is to be the

Chairperson,

(b) 3 persons nominated by the City Council and appointed by the Minister,

(c) 3 persons representing the State government and appointed by the Minister.

(2) Schedule 2 contains provisions relating to the members and procedures of CSTTC.

51H Functions of CSTTC

(1) CSTTC has the following functions:

(a) providing high-level co-ordination of the development of traffic and transport policies, plans and projects affecting the Sydney CBD,

(b) assessing the impact of decisions and actions with respect to traffic and transport management within the Sydney CBD on the efficiency and effectiveness of the transport network that provides access to, and movement in, the whole or any part of the Sydney CBD for persons and goods,

(c) coordinating the management by Sydney CBD roads authorities and Sydney CBD parking authorities of traffic and transport in the whole or any part of the Sydney CBD,

(d) reviewing and approving certain projects within the Sydney CBD having a significant impact on public roads, road related areas, traffic or transport in the whole or any part of the Sydney CBD,

(e) promoting the efficiency and safety of the public transport network in the Sydney CBD,

(f) such other functions as may be conferred or imposed on it by or under this or any other Act.

(2) Without limiting the matters it may consider, in exercising its functions the CSTTC is to take into consideration the potential impact of traffic and transport management decisions and actions on the following:

(a) the future economic welfare and development of Sydney and the State,

(b) the efficient functioning of businesses in the whole or any part of the Sydney CBD,

(c) the maintenance of access for freight within the whole or any part of the Sydney CBD,

(d) the efficiency and traffic safety of the public transport network in the Sydney

CBD,

(e) the needs of commuters, residents, pedestrians and visitors in the whole or any part of the Sydney CBD.

(3) The CSTTC may, for the purpose of exercising its functions, give such directions under this Part as it considers necessary to a Sydney CBD roads authority or Sydney CBD parking authority.

(4) The CSTTC is to act as expeditiously as practicable in exercising its functions.

51I Subcommittees

(1) The CSTTC may establish subcommittees to assist it in connection with the exercise of any of its functions.

(2) It does not matter that any or all of the members of a subcommittee are not members of the CSTTC.

(3) The procedure for the calling of meetings of a subcommittee and for the conduct of business at those meetings are to be as determined by the CSTTC or (subject to any determination of the CSTTC) by the subcommittee.

51J Delegation of CSTTC's functions

(1) The CSTTC may delegate to an authorised person any of its functions, other than this power of delegation.

(2) A delegate may sub-delegate to an authorised person any function delegated by the CSTTC if the delegate is authorised in writing to do so by the CSTTC.

(3) In this section, **authorised person** means:

(a) a member of staff of Transport for NSW or Roads and Maritime Services, or

(b) the City Council or the general manager of the City Council, or

(c) a person, or committee of persons, of a class approved by the Minister or prescribed by the regulations.

Division 3 Powers of CSTTC

51K Excluded matters

(1) The provisions of this Part do not apply to or in respect of any work or scheme carried out or proposed to be carried out on a public road or road related area in the Sydney CBD:

(a) by a public sector agency, other than a Sydney CBD roads authority or

Sydney CBD parking authority in its capacity as such an authority, or

- (b) without limiting paragraph (a), by Roads and Maritime Services (whether or not it is exercising a function of a roads authority under section 64 of the [Roads Act 1993](#)), or
- (c) in an emergency, or
- (d) for the purposes of a sporting, cultural or other special event, or
- (e) in the nature of temporary traffic control measures to facilitate the carrying out of any construction, engineering or demolition work, including the excavation, site preparation or remediation of land, or
- (f) specified, or of a kind described, in a notice given for the purposes of this paragraph under subsection (2), or
- (g) in the nature of routine operational maintenance of infrastructure, including, but not limited to, maintenance of roads and road related areas, and the installation or maintenance of water or utility pipes, bus shelters, seating, lighting or street furniture.

- (2) For the purposes of subsection (1) (f), CSTTC may, by notice in writing given to:
- (a) a Sydney CBD roads authority—specify roadwork or traffic control work, or describe roadwork or traffic control work of a kind, being roadwork or traffic control work that CSTTC considers to be unlikely to have a significant impact on a public road, road related area, traffic or transport within the Sydney CBD, or
 - (b) a Sydney CBD parking authority—specify a scheme with respect to parking, or describe a scheme with respect to parking of a kind, being a scheme that CSTTC considers to be unlikely to significantly alter the availability of on-street parking in the Sydney CBD.

51L Sydney CBD roads authorities to notify CSTTC of proposal to carry out road work and traffic control work

- (1) A Sydney CBD roads authority may not carry out road work or traffic control work on a public road or road related area within the Sydney CBD unless it has forwarded particulars of the proposed work to CSTTC at least 28 days (or such lesser period as is agreed to by the CSTTC in a particular case) before the proposed commencement of the work.
- (2) If it appears to the CSTTC that the proposed work may have a significant impact on a public road, road related area, traffic or transport within the Sydney CBD, CSTTC may, within that period of 28 days or the agreed lesser period, by an

order in writing signed by the Chairperson of CSTTC, direct the Sydney CBD roads authority:

- (a) to vary the carrying out of the work, or
- (b) to defer the carrying out of the work for a specified period, or
- (c) not to carry out the work.

- (3) A Sydney CBD roads authority must comply with any direction given under this section.
- (4) For the assistance of Sydney CBD roads authorities, the CSTTC may from time to time issue guidelines (not inconsistent with subsection (1)), relating to the matters with respect to which particulars are required to be forwarded in order to comply with subsection (1).

51M Sydney CBD parking authorities to notify CSTTC of proposal to carry out certain parking schemes

- (1) A Sydney CBD parking authority may not establish or operate any scheme under the *Road Transport (Safety and Traffic Management) Act 1999* with respect to parking on any public road or road related area within the Sydney CBD unless it has forwarded particulars of the proposed scheme to CSTTC at least 28 days (or such lesser period as is agreed to by the CSTTC in a particular case) before the proposed scheme is established or operated.
- (2) A reference in subsection (1) to the **operation** of a scheme includes any substantial increase of fees.
- (3) If it appears that the proposed scheme may significantly alter the availability of on-street parking in the Sydney CBD, CSTTC may, within that period of 28 days or the agreed lesser period, by an order in writing signed by the Chairperson of CSTTC, direct the Sydney CBD parking authority:
 - (a) to vary the proposal, or
 - (b) to defer the establishment or operation of the scheme for a specified period, or
 - (c) not to carry out the proposal.
- (4) A Sydney CBD parking authority must comply with any direction given under this section.
- (5) A Sydney CBD parking authority must comply with a direction given under this section even if the scheme concerned has been established or operated in accordance with an approval given by, or guidelines of, Roads and Maritime

Services.

- (6) For the assistance of Sydney CBD parking authorities, the CSTTC may from time to time issue guidelines (not inconsistent with subsection (1)), relating to the matters with respect to which particulars are required to be forwarded in order to comply with subsection (1).

51N Planning proposals having a significant impact on traffic and transport in the Sydney CBD

- (1) The Planning Committee must consult the CSTTC before it exercises a function under Part 4 that will result in the making of a decision that will require, or that might reasonably be expected to require, the carrying out of road works or traffic control works that are likely to have a significant impact on traffic and transport in the Sydney CBD.
- (2) The Planning Committee must take into consideration any representations made by the CSTTC within the period of 21 days (or such other period as is agreed to by the CSTTC and the Planning Committee in a particular case) after consultation takes place.
- (3) The Planning Committee may delegate to a subcommittee of the Planning Committee, or the general manager or another member of the staff of the City Council, any of its functions under this section other than this power of delegation. A delegation can be given subject to conditions. A delegation does not (despite section 38) require the approval of the Minister administering that section.
- (4) The failure of the Planning Committee to comply with this section does not invalidate or otherwise affect any decision made by the Planning Committee.

51O Access to records etc of roads and parking authorities

The CSTTC is entitled to have access to, and to make copies of and take extracts from, records of any Sydney CBD roads authority or Sydney CBD parking authority relevant to the exercise of its functions.

51P Disputes between CSTTC and Sydney CBD roads and parking authorities

- (1) Any dispute arising under this Part between a Sydney CBD roads authority and the CSTTC is to be resolved by consultation:
 - (a) in the case of the Barangaroo Delivery Authority—between the Minister responsible for the Authority and the Minister administering this Part or, if agreement cannot be reached, by the Premier, or
 - (b) in the case of the Sydney Harbour Foreshore Authority—between the

Minister responsible for the Authority and the Minister administering this Part or, if agreement cannot be reached, by the Premier, or

- (c) in the case of the City Council—between the Minister administering the *Local Government Act 1993* and the Minister administering this Part or, if agreement cannot be reached, by the Premier.
- (2) Any dispute arising under this Part between a Sydney CBD parking authority and the CSTTC is to be resolved by consultation between the Minister responsible for the relevant authority and the Minister administering this Part or, if agreement cannot be reached, by the Premier.
- (3) In this section, a reference to the Minister responsible for a Sydney CBD parking authority is a reference to:
- (a) in the case of the City Council, the Minister administering the *Local Government Act 1993*, and
 - (b) in the case of a declared organisation that is constituted by or under an Act, the Minister administering that Act, and
 - (c) in the case of a Government Department, the Minister responsible for that Department.

51Q Power to include or exclude areas from operational area

- (1) The Premier may declare, by order published on the NSW legislation website, that this Part, or any specified provision of this Part:
- (a) applies to a specified area of the Sydney CBD that is open to or used by the public, or
 - (b) does not apply to a specified public road or road related area.
- (2) The declaration has effect until it is revoked, or for the period specified in the declaration.

[7] (Repealed)