



31 October 2025

Roads Act Review Project Team
Safety, Policy, Environment and Regulation Branch
Transport for NSW
231 Elizabeth Street Sydney NSW 2000

By email: roadsactfeedback@transport.nsw.gov.au

Review of the Roads Act 1993: Options Paper

The Southern Sydney Regional Organisation of Councils Inc (SSROC) thanks you for the opportunity to comment on the Review of the Roads Act 1993 Options Paper (The Review).

SSROC is an association of twelve local councils in the area south of Sydney Harbour, covering central, inner west, eastern and southern Sydney. SSROC acknowledges the traditional custodians of the land on which we work and live, the peoples of the Darug, Dharawal and Eora Nations.

SSROC provides a forum for the exchange of ideas between our member councils, and an interface between governments, other councils and key bodies on issues of common interest. Together, our member councils cover a population of about 1.9 million, one third of the population of Sydney, including Australia's most densely populated suburbs. SSROC seeks to advocate for the needs of our member councils and bring a regional perspective to the issues raised.

The Review's objective to reform and streamline processes and procedures and take into consideration activities that the road network impacts on, such as placemaking and movement of people and freight is welcomed by SSROC.

We recognise that SSROC member councils and other councils in greater Sydney are wary about cost-shifting from State Government to Local Government and the implementation of the reforms should not be another unfunded cost imposition for councils.

RECOMMENDATIONS AND EXPLANATIONS

The comments, recommendations or explanations below are organised along Transport for NSW (TfNSW) specified response template.

Pathway to Reform for Road Regulation in NSW

Recommendation

In principle support for the proposed statement and the proposed regulatory outcomes in page 41 of the Review.

Model 1: Codify Current Practice

Model 1 is viewed as bare minimum. More sections need to be added to the Act, different from the operational management of roads, or implementing an integrated approach of the three models.

Recommendation

SSROC generally supports the proposed clarification of road ownership and emphasise that TfNSW should continue to be responsible for assets kerb to kerb on State Roads.

Explanation/Response

Clarification of TfNSW ownership is a good step and with all roads being either a state road or local road.

It is currently TfNSW responsibility to maintain the assets kerb to kerb on State Roads. Shifting this responsibility to councils would mean more maintenance responsibilities to Council.

While Transport for NSW is the primary road authority for State and Regional Roads, it regards local governments as the road authority on these roads for lighting purposes. The Options Paper is silent on matter of street lights, even though it is arguably the most ambiguous aspect of who owns, manages and is accountable for the road.

SSROC is concerned the Road Act review does not become an exercise in cost shifting. SSROC member councils will not support changes that will increase maintenance responsibilities for local councils, especially if an increase is without additional funds.

Model 2: Plan-Led Framework

Developing statutory road network plans across NSW would a big effort. Arguably, similar outcome could be achieved from codifying and strengthening the Roads Act, strategic plans can be prepared to inform long-term vision for roads and streets.

Recommendation

SSROC member councils may be willing to support statutory road network plans if:

- Funding is provided to councils to develop and implement these plans.
- Private certifiers are not permitted to assess and approve driveways.

Explanation/Response

Many SSROC member councils and councils in NSW are already struggling with asset maintenance backlogs. The plans will inevitably need a lot of resources to plan and to implement. SSROC councils would find it difficult to absorb additional costs the plans and their implementation.

Some SSROC member councils have significant concerns relating to some private certifiers and questionable unlawful approvals relating to private developments, particularly approval of driveways and lack of integration into public domain levels.

Model 3: Institutional Change

Recommendation

Model 3 - Institutional Change is not supported, not at this stage.

Explanation/Response

It is not clear, and would be worrisome, if a State Road Regulator had a mandate or oversight on decisions in relation to road asset management plans. The implications for capital works budgets are also not clear. Councils are likely to fiercely oppose such micro-planning of their allocation of scarce rate-payer resources and competing community priorities.

Model 3 would bring a lot of changes to in the way that roads are managed. This would have impacts and implications for staff and capital budgets for road/transport and asset management. A Regulator would be unlikely to satisfactorily meet the needs of diverse local councils in metropolitan and regional councils, or the difference between councils in metropolitan areas and implications for council road management requirements.

Councils would likely be burdened with additional reporting obligations, this time to the Regulator on key performance indicators. The Regulator may even set fees and councils have reason to be concerned as statutory fees rarely cover real costs to councils.

Should Model 3 be preferred by NSW Government, councils would not support having any of their current delegations taken away. If an independent authority were to be established, it could increase red tape and timeframes for road and transport related operations and such independent authority should be separate from TfNSW. Preferably, the authority would find a way to weave in relevant state department collaboration for better place-making, integrated transport and land-use.

Implementation

Recommendation

Staged and scalable approach with in-built flexibility for adjustment or changes based on learnings from implementation and evaluation of any reforms, is supported.

Explanation/Response

Some of the proposed changes would require substantial staff resources to implement, and a staged process would work better for councils with limited resources. It is necessary to allow for adjustments and review that would be inevitable as the process of implementation gets underway.

Road Safety and Public Lighting

SSROC welcomes that Review of the Roads Act 1993 Options Paper recognised the need to prioritise road safety. The Review omitted SSROC's strong recommendation that the NSW Roads Act should recognise the vital role of public lighting in road safety, since lighting is among the most effective contributors to safety on roads.

SSROC renews its recommendation for NSW Government to adopt changes to the NSW Roads Act that:

1. Mandate Smart Street Lighting Controls Deployment on all State, Regional and Local Roads with Category V lighting
2. Require a Design Review of Existing Road Lighting on State & Regional Roads
3. Reconsider Split Responsibility for Lighting, that is the current utility ownership model of

public lighting and the arrangements between Transport for NSW, local governments and electricity distributors that are hampering lighting improvements.

More details are in SSROC's submission on Roads Act 1993 Issues Paper.

CONCLUSION

Thank you for the opportunity to contribute this submission on the Review of the Roads Act 1993.

In order to make this submission within the timeframe for receiving comments, it has not been possible for it to be formally reviewed by councils or to be endorsed by the SSROC. I will contact you further if any issues arise as it is reviewed.

If you have any queries, please do not hesitate to contact me or Dr Vincent Ogu, SSROC Program Manager on 8396 3800.

Yours sincerely

A handwritten signature in black ink, appearing to read 'H Sloan', is positioned below the 'Yours sincerely' text.

Helen Sloan
Chief Executive Officer
Southern Sydney Regional Organisation of Councils (SSROC) Inc