

Richmond
Valley
Council



ATTACHMENTS

Tuesday, 2 September 2025

UNDER SEPARATE COVER

Local Transport Forum Meeting

4.1	Amendment of Local Traffic Committee to Local Transport Forum	
	Attachment 1 Guide for Councils using the Authorisation and Delegation Instrument.....	4
4.8	Update on Outstanding Action Items from Previous Meeting	
	Attachment 1 Outstanding Action Items from Previous LTF Meetings as at 25 August 2025	25

Transport
for NSW

A guide for councils using the Authorisation and Delegation Instrument

*Prescribed Traffic Control Devices
and Regulation of Traffic*

August 2025

transport.nsw.gov.au



Table of Contents

Introduction	3
Why does Transport authorise and delegate?	3
Legal context.....	3
Understanding the Instrument.....	4
Where can council use the Instrument? (<i>Condition 1</i>)	5
Traffic signals.....	6
How does the Local Transport Forum work? (<i>Condition 2</i>)	6
Function and responsibilities	6
Membership	7
Administration	7
Referring proposals for advice (<i>Condition 3</i>).....	8
Temporary regulation of traffic and events.....	10
Assessing the impacts of proposals	10
Statements of Concern	11
Keeping records (<i>Condition 4</i>).....	11
Coordination with Transport, public transport operators, and Police (<i>Condition 5</i>)	12
References (<i>Condition 6</i>)	13
Transport's reserve powers (<i>Condition 7</i>)	13
Appendix.....	15
Exercising an authorised or delegated function.....	15
Glossary	16



Introduction

This guide is a reference for councils and others who use the 2025 Authorisation and Delegation Instrument. It is intended to promote a consistent understanding of what can be a complicated mix of legislation, regulation, and practice.

For simplicity, the *Authorisation and Delegation – Prescribed Traffic Control Devices and Regulation of Traffic* is referred to as ‘the Instrument’.

This guide addresses the following questions:

- Why does Transport authorise and delegate?
- What powers are being authorised and delegated?
- Why would council use the Instrument?
- What are Local Transport Forums and how should they operate?
- What kinds of works need to be coordinated with Transport and others?

For the most up-to-date information and references, please refer to Transport’s website.

Why does Transport authorise and delegate?

Councils manage most of the roads and streets on which the people of NSW live, work, and play. These streets perform many functions. They may be the quiet streets of a residential neighbourhood, busy corridors for the movement of goods and people, or the venues for events, commemorations, and celebrations.

Councils in NSW are well-placed to manage local roads, responding to the needs and aspirations of their community. By extending some of its own powers to councils, Transport enables councils to manage streets more efficiently.

The Instrument itself serves two purposes: It authorises councils to use the signs, markings, and devices that appear in the *Road Rules 2014* and are known as ‘prescribed traffic control devices’; and it allows council to ‘regulate traffic’ on unclassified roads and all regional roads for purposes that go beyond road work, such as closing a road to allow an Anzac Day march.

It is important to note that councils already have powers to carry out road work and traffic control work, and to regulate traffic while doing so. The Instrument provides powers to use the most common ‘prescribed’ devices, but in many cases, council will not need to use it.

This version of the Instrument reinforces the principle that the functions of Transport delegated to councils by the Instrument may be exercised with wide discretion. It does not seek to limit council’s powers under the *Roads Act 1993* on council’s network (for instance the ability to carry out traffic control work under s87), nor to second-guess decisions made by councils under authority or delegation. The focus of the Instrument is to facilitate coordination and knowledge sharing, while taking a risk-based approach to proposals and works that might affect road safety, public transport, or the operation of the ‘State’ road network.

Legal context

Please note that this section is not to be taken as legal advice. Users should seek their own legal advice.

The legal framework for the Instrument is found across the *Transport Administration Act 1988*, the *Roads Act 1993*, and the *Road Transport Act 2013*.

The ***Transport Administration Act 1988*** establishes Transport and sets out its broad functions across all legislation relating to the management of roads and traffic across NSW. It authorises Transport to delegate some of its functions to councils (and for councils to further sub-delegate).

This Act defines the term ‘*traffic control facility*’ to include all signs, markings, structures or devices that advise or warn a driver; all signs, markings, structures, or devices that compel a road user to do (or not do) something; and any bridge or underpass for pedestrian use. Refer to the

Transport
for NSW

Glossary for a full definition.

The **Roads Act 1993** sets out and divides responsibilities and road management functions between Transport and other roads authorities such as councils.

Part 6 of the Act provides that “*traffic control work*” – which is work involving a “*traffic control facility*” – may be carried out by Transport on any public road, transitway, and any road or road related area used by motor vehicles, cyclists, pedestrians, or animals, and including road shoulders, nature strips, and other road adjacent areas (whether a public road or not).

An appropriate roads authority (usually council) may carry out those works on their network and all the other road related areas mentioned above, unless Transport has notified the roads authority that it intends to carry out works on that road or road related area (s87).

Part 8 of the Act provides Transport with a broad power to regulate traffic (i.e. restrict or prohibit passage along a road) for any purpose. Roads authorities may regulate traffic in a more limited set of defined circumstances – such as road work or traffic control work under Part 6 – or to give effect to some other function authorised or required by any legislation. If council is regulating traffic for a purpose specified in s115 of Part 8, then they are using their own native power; are not using Transport’s power as delegated through this Instrument; and are not subject to the conditions applied by this Instrument (including mandatory referral to the Local Transport Forum). This is important to note in relation to regulation of traffic around things such as regular maintenance – which council has the power to do themselves under s115.

While councils have powers under s87 to carry out traffic control work, there are circumstances which arise commonly outside of that scope, and where the delegation to *regulate traffic* in the Instrument can assist councils.

Street markets or marches, for example, are not ‘*traffic control work*’ or road work for which the *Roads Act 1993* ordinarily allows councils to regulate traffic. Without this Instrument, to regulate traffic for a purpose that isn’t permitted by the defined circumstances in the Act (such as to open a road for a street parade, market, or similar), a council would need to apply to Transport for approval, advertise the proposal for 28 days, and forward any submissions to Transport before it may do so. By using the Instrument – and in doing so exercising Transport’s power to regulate traffic for any purpose – no advertising or approval is necessary and only the conditions of use of the Instrument need to be followed.

The **Road Transport Act 2013** establishes and governs road transport law in NSW. While the *Roads Act 1993* allows for the building of traffic control facilities, signs, lines, structures etc., Part 5.3 of the *Road Transport Act 2013* requires that a person hold appropriate authority from Transport to install, display, interfere with, alter, or remove a ‘*prescribed traffic control device*’. Unauthorised use of a device is subject to penalties, and Transport may order the unauthorised device to be removed and recover any expenses in doing so.

Some traffic control facilities are not ‘prescribed’ and do not require the authorisation provided by the Instrument. Speed cushions are one example. However, many other works, such as installing a roundabout, will involve installing a ‘*prescribed traffic control device*’ - which is a device that a road user must obey under the road rules – or they may be liable for a fine. All regulatory signage, and some markings, devices, and structures are ‘*prescribed traffic control devices*’. Refer to the Glossary for a full definition.

This Instrument provides councils with Transport’s authorisation to use prescribed traffic control devices, subject to the stated conditions in Schedule 4.

Finally, the power to establish and operate special event parking schemes delegated through provision (c) of the Instrument arises from the *Road Transport (General) Regulation 2021*, which sits under the *Road Transport Act 2013*.

Understanding the Instrument

The Instrument is a single consolidated document that replaces the Delegation to Councils (issued in 2011) and Temporary Delegation to Councils No.2 (issued in 2023), which are now no longer in force. The Instrument can be summarised as follows.

Clause (c) delegates Transport’s power to regulate traffic for any purpose, subject to Schedule 4.

Clause (c) also delegates the power to establish and operate a special event parking scheme,

Transport
for NSW

subject to Schedule 4.

Clause (e) provides authorisation in writing for the use of prescribed traffic control devices (regulatory signs, lines, markings, etc.), subject to Schedule 4.

Note: The authorisation given under clause (e) of the Instrument is referred to throughout Schedule 4 as the 'prescribed traffic control device authorisation'. For clarity, the authorisation allows delegates to install, display, etc. those devices and extends to the engagement of third parties (such as developers, road construction contractors, etc.) to install and display any such devices as a consequence of a delegate's decision and approval under the Instrument.

Clause (d) enables councils to sub-delegate the functions and powers of the Instrument to their general manager or staff. Councils should set up their own instruments for this purpose to ensure the appropriate staff are carrying out functions lawfully.

Clause (f) provides consent for the temporary use of portable traffic control lights in accordance with Transport's Traffic Control at Work Sites Manual.

Clause (g) clarifies that non-compliance with any of the conditions and limitations in Schedule 4 means that the Instrument does not apply. In such a situation, any authority or delegation under the Instrument to exercise the function is taken not to have been given, and councils may be liable to the consequences of acting without authority or delegation.

The following subsections are structured and numbered in accordance with the conditions and limitations set out in Schedule 4 of the Instrument.

Where can council use the Instrument? (Condition 1)

Condition 1: Scope of Authorisation and Delegation

A delegate must not exercise a function listed in Schedule 1 of this Instrument and may not use the prescribed traffic control device authorisation:

- (a) outside its local government area as constituted under the *Local Government Act 1993*;
- (b) on a road or part of a road classified under the *Roads Act 1993* as a Freeway, Controlled Access Road, Tollway, or Transitway; or
- (c) on any road identified with the 'Administrative Category' of 'State' in the '*Schedule of Classified Roads and Unclassified Regional Roads*' (as published and amended from time to time by Transport for NSW), except with the consent of Transport for NSW.

Councils may only perform functions under the Instrument in their own local government area and on their own network (unclassified roads and all regional roads – often referred to as 'local' roads). Note that in some cases (e.g. some light rail or bus corridors) classification may vary across the road or across different levels of the road.

In addition to the roads listed in (b) above, councils are not permitted to use the Instrument on those that have been administratively categorised as 'State' roads (which is not necessarily all classified roads). Road classification may be confusing due to the use of both statutory classifications (under the *Roads Act 1993*) and administrative categories. Statutory classifications define the status of roads for the purposes of the *Roads Act 1993*, while administrative categorisations set out "who is responsible for the road" for the purpose of operational management and funding, including where the NSW Government takes over the responsibility for more significant roads (i.e. 'State' roads).

Transport's website hosts the Schedule of Classified Roads and Unclassified Regional Roads alongside a map of the NSW road network's administrative categorisation.

The Instrument may only be used by councils on State Roads if *written consent* from Transport has been obtained. The Local Transport Forum may be the appropriate starting point for such consent to be obtained – the Transport representative on the Local Transport Forum may act as a point of contact for consent to be sought. It must be noted however that Transport consent in this situation is required from Transport itself – not from Local Transport Forum. The Local Transport Forum may still review the proposal, but formal Transport consent is a prerequisite before council can use this

Transport for NSW

Instrument on State Roads.

Traffic signals

Under section 87 of the *Roads Act 1993*, the construction, erection, installation, maintenance, repair, removal, or replacement of a traffic control light may not be carried out otherwise than by or with the consent of Transport. The Instrument does not provide that consent except in relation to portable traffic control lights (see clause [f]).

When using the Instrument, councils should engage with Transport – either directly or via the Local Transport Forum – in advance of undertaking any works that are likely to affect the operation of a traffic signal.

Prior engagement with Transport will ensure that unintended negative consequences for traffic signal operations are avoided.

How does the Local Transport Forum work? (*Condition 2*)

Condition 2: Local Transport Forum

- (a) A delegate must convene a Local Transport Forum to which a representative from each of the following is invited to attend:
 - (i) the delegate
 - (ii) Transport for NSW
 - (iii) NSW Police Force
 - (iv) The local Member(s) of Parliament
 - (v) The operator of any public passenger service likely to be affected by traffic control work proposed by the delegate
- (b) A delegate may invite any other person to attend the Local Transport Forum.
- (c) A delegate may seek technical advice from the Local Transport Forum regardless of whether this Instrument is being used.
- (d) The Local Transport Forum is to provide advice to the delegate on any matter put before it for advice.
- (e) A delegate must consider any advice provided by the Local Transport Forum.

One of the longstanding conditions of Transport's delegation of powers is that local roads authorities convene a body where proposals can be discussed, reviewed, and coordinated. This guide explains how these Local Transport Forums (previously known as Local Traffic Committees) should operate and sets out the proposals they may or must consider.

The Local Transport Forum replaces the Local Traffic Committee. The change of name reflects its function and focus as an advisory body dedicated to technical advice, information sharing, and coordination on matters related to transportation, movement, and accessibility. It is not an approval body, nor does it make decisions.

The Local Transport Forum is not a committee as defined and understood in the *Local Government Act 1993*.

Function and responsibilities

Functions of the Local Transport Forum include:

- collaboration between agencies involved in transport management
- advice on street design, infrastructure, and traffic control facilities
- coordination of planned events and activities
- advice and information sharing on transport plans, policy, and management

Transport for NSW

- ensuring a public record of decisions relating to roads and streets

There is no voting at the Local Transport Forum, as councils are exclusively responsible for decisions they take on their roads. Members and attendees are to provide advice in good faith, share information, and coordinate activities and plans. Council is obliged to consider any advice provided by the Local Transport Forum, but any decisions – and the exercise of an authorised or delegated function itself – are the sole responsibility of council regardless of the advice of the Local Transport Forum.

Membership

The Local Transport Forum is convened by council. Council's role is that of both *proponent* and *decision-maker*. Council is the representative for all community interests (residents, businesses, etc.) and responsible for all road users – including public transport – and road safety.

There are three further mandatory invitees to every meeting of the Local Transport Forum:

- Transport for NSW
responsible for collaborative coordination and provision of advice regarding state-level interests (public transport, operation of state road network operation and safety, guidance and standards, etc.)
- NSW Police Force
responsible for provision of advice related to Police expertise, such as public safety, event management, highway patrol, enforcement, etc.
- the local Member(s) of NSW Parliament
responsible for provision of advice regarding community interests (residents, businesses, etc.)

It is also mandatory to invite the operator of any public passenger service likely to be affected by a proposal to carry out traffic control work to any meeting where that proposal is being reviewed. Most commonly, this will be local bus operators. Depending on local context and service density, it may be beneficial for councils to issue a standing invitation to public passenger service operators in their area. It is the responsibility of the relevant operator to attend and/or to return feedback to council if otherwise unable to attend. Failure to do so when appropriately invited does not prevent council from proceeding with a proposal.

Multiple representatives may be invited where proposals affect more than one state electorate or Police Area Command. Council is also encouraged to invite any other person who may add technical expertise and value to the Local Transport Forum. Examples include – but are not limited to – road safety practitioners, urban designers, planners, local advocacy groups (such as those for mobility-impaired residents, cyclists, pedestrians, etc.), representatives from Local Health Districts or schools, and other subject matter experts as relevant.

A quorum for a meeting of the Local Transport Forum is one representative in attendance from each of council and Transport.

Administration

The Local Transport Forum is administered by council, which may decide the frequency and format of meetings.

Attendees must be:

- provided with the meeting agenda at least seven (7) calendar days in advance of the meeting (unless otherwise agreed by members)
- afforded the opportunity to review meeting minutes prior to finalisation
- be provided with a copy of the finalised meeting minutes

The meeting agenda must:

- include sufficient information to review any proposals or items submitted for advice
- clearly distinguish between items referred for advice, tabled for-information-only, and raised for general discussion

Transport
for NSW

The meeting minutes must clearly record:

- invitees and attendance
- items discussed
- key advice provided
- any for-information-only records or reports tabled

Referring proposals for advice (*Condition 3*)

Condition 3: Mandatory prior referral of some proposals

- (a) A delegate must refer to the Local Transport Forum any proposal to exercise a function listed in Schedule 1 of this Instrument or to use the prescribed traffic control device authorisation where that proposal would:
- for a period exceeding **6 months**:
- (i) restrict or prohibit passage along a road of any persons, vehicles, or animals; or
 - (ii) compel or prevent a turn from one public road to another public road;
- or
- for a period exceeding **24 hours**:
- (iii) prevent, impede, or hinder the safe or efficient operation of a public passenger service; or
 - (iv) prevent access to a public transport station, stop, wharf, or service; or
 - (v) remove or render less effective any bus priority measure.
- (b) Following consideration of advice provided by the Local Transport Forum, the delegate may proceed with the proposal unless the Transport for NSW representative advises the meeting of the Local Transport Forum that Transport for NSW will be submitting a Statement of Concern within seven (7) days.
- (c) If a Statement of Concern has been provided to the delegate in accordance with clause (b) above, the delegate may not exercise the relevant function until a further seven (7) days after it has circulated to the members of the Local Transport Forum a written response addressing the Statement of Concern and the delegate's reasons for proceeding to exercise the function.

Conditions 3(a)(i-ii) of the Instrument are intended to capture proposals that '*regulate traffic*' as defined in the *Roads Act 1993*. Aside from interfering with the common law right of passage on a public road, proposals that regulate traffic may create challenging outcomes – both positive and negative – and must be referred to the Local Transport Forum for coordination, input, and advice.

NOTE

'**Regulate traffic**' is a technical term that is formally defined in the *Roads Act 1993*. It means "*restrict or prohibit the passage along a road of persons, vehicles, or animals*". If a proposal does not prohibit or restrict passage, it is not regulation of traffic.

For the purposes of the Instrument, 'restrict passage' should be understood to mean a partial constraint that does not constitute prohibition or prevention of passage (such as passage only during particular times or for particular purposes). Most commonly, this is by way of compelling or preventing a turn by road users from one public road to another public road (where passage along the road is retained but can only be undertaken if approached/accessed in a specific way, or at a specific time).

For clarity, works that may affect vehicle speed or road capacity (e.g. speed cushions, roundabouts, reductions in road lanes, changes to parking controls, etc.) do not constitute

Transport
for NSW

restrictions or prohibitions on passage and are not regulation of traffic.

Given the critical importance of public transport in NSW, conditions 3(a)(iii-v) apply the same obligation of mandatory prior referral to the Local Transport Forum to any proposals that have the potential to negatively affect the operations of public passenger services. Please note that there are some existing legislative protections (such as s144B of the *Roads Act 1993*) for other parts of the broader rail and transport network which also must be complied with.

The following table provides examples of different types of common works and proposals to aid practitioners in understanding what must be referred to the Local Transport Forum in advance of implementation. Further information can be found on Transport's website.

Examples

1. Council develops a traffic calming proposal for a residential neighbourhood that would prevent left turns into some side streets. The proposal uses physical changes and No Left Turn signs. This is a restriction on passage along those roads. It **must be referred** to the LTF prior to implementation.
2. Council proposes to install a roundabout at a four-way intersection with speed cushions on approach to improve road safety. All turn movements are maintained and reducing vehicle speed does not constitute a restriction on passage, so prior referral to the LTF is **optional** at the discretion of council.
3. Council proposes to trial preventing motor vehicle access along a side street every weekday during lunch hours to provide space for tables and chairs for local restaurants. The proposal prohibits passage of vehicles along the road and thus 'regulates traffic', but the trial is only for 6 months, so prior referral to the LTF is **optional** at the discretion of council.
4. Council proposes to install a series of kerb islands with street trees in the kerbside lane to beautify a local shopping area. Changes to parking arrangements – including adjustments to permissive parking times and No Stopping zones – are also implemented. Parking is reduced but the changes do not restrict or prohibit passage along the road. Prior referral to the LTF is **optional** at the discretion of council.
5. Council is working with a private event organiser planning an on-street charity running event. The event will require preventing motor vehicle access along a number of different roads through town – including the main street on which a bus service operates. Prohibiting passage of vehicles along the roads is regulation of traffic, and there is a direct negative effect on operations of the bus service, but traffic controls are in place for less than 24 hours, so prior referral to the LTF is **optional** at the discretion of council. Council is, however, obliged to consult with the operator of the bus service at least 7 days' prior.
6. Council is hosting a food & drink festival along the main street of town that will involve preventing motor vehicle access for 3 days. The proposal prohibits passage of vehicles along the roads and thus 'regulates traffic'. It will also prevent access to bus stops and efficient operation of bus services. The traffic regulation is in place for less than 6 months, but the effects on public transport operations last for more than 24 hours. As a result, it **must be referred** to the LTF prior to implementation.
7. Council proposes to ban trucks and buses from using a side street to reach an industrial estate. This is a prohibition of passage. It **must be referred** to the LTF prior to implementation.
8. Council proposes to enable contra-flow movement for bicycles on an existing one-way road. The proposal includes narrowing of the carriageway and shifting of kerbside parking to enable installation of concrete kerbing to create a separated bicycle lane and improve safety. The proposal does not restrict or prohibit passage along the road. Prior referral to the LTF is **optional** at the discretion of council.
9. Council proposes to install a central median that compels left turns when entering from side streets. This is a restriction on passage. It **must be referred** to the LTF prior to

implementation.

10. Council proposes a safety and amenity-focused revitalisation of a local high street. The design involves footpath widening and the installation of kerb blisters and raised pedestrian crossings. There will be some loss of parking and a reduction in the road carriageway width from 4 lanes to 2-3. None of these changes – including the reduction in lanes/road capacity for motor vehicles – constitute ‘regulation of traffic’ because they do not restrict or prohibit passage along the road. Prior referral to the LTF is **optional** at the discretion of council.

Temporary regulation of traffic and events

The Instrument now allows some temporary ‘regulation of traffic’ to be undertaken without prior referral to the Local Transport Forum. This could be a brief closure for a street party or small event, or longer duration changes such as trialling the conversion of a street to one-way only or ‘closing’ it at one end to motor vehicle traffic.

Council may use the Instrument to hold events on the public road that require the ‘regulation of traffic’, such as an Anzac Day event or a local market. Where public events or activities are held, it is a condition of the Instrument that NSW Police and Transport are given seven days’ notice. *(This is consistent with the notification requirement in s166 of the Liquor Act 2007).*

Councils may wish to trial changes to the roads in their community – reducing the need for expensive modelling, allowing solutions to be trialled and modified, and ensuring the community and road users understand proposed permanent changes. The Instrument authorises councils to regulate traffic for up to six months without mandatory prior referral to the Local Transport Forum. *(Should such a change be successful, it must be referred to the LTF if the intention is to continue beyond six months).*

To safeguard public transport, the six-month period is reduced to 24 hours where a proposal prevents or hinders safe or efficient operation of a bus service, prevents access to a public transport stop, or removes or renders less effective any bus priority measure (refer to condition 3[a][iii-v]).

Alternatively, for select events or activities, councils can forgo the Instrument and the Local Transport Forum and use their existing legal powers under s115(2)(f) of the *Roads Act 1993* where a permit has been issued under s144 for a ‘road event’, including:

- Filming projects (as set out in the *Local Government Act 1993*)
- Neighbourhood activities (as defined in the *Roads Regulation 2018*)
- Speed contests (such as a race – Police approvals under other legislation will be required)

Section 166 of the *Liquor Act 2007* also allows regulation of traffic for events, performance space, and dining without using the Instrument and without referral to the Local Transport Forum.

NOTE

The *Roads Act 1993* uses the term ‘regulation of traffic’ to refer to restrictions or prohibitions on passage – what most people call a ‘road closure’. This is *not* the same thing as ‘closing a road’ under Part 4 of the *Roads Act 1993*, which is the process of *extinguishing* a road to allow it to be sold or amalgamated. Councils don’t need to use the lengthy Part 4 process for everyday changes to their local roads, such as closures to keep through-traffic of quieter streets.

Assessing the impacts of proposals

Members of the Local Transport Forum must have sufficient information to reasonably assess proposals and provide informed advice.

Councils should consider the potential effects of any change on amenity, safety, and access across the broader network for all road users and should make the assessment available to the Local Transport Forum. Professional judgement or other appropriate methods may be used to do this – taking into account considerations such as local conditions, scale, and whether the proposal is temporary, permanent, or a trial. A formal traffic model or plan may be used where appropriate but is not required.

Testing and trialling temporary changes is an increasingly common method to assess both network

Transport for NSW

impacts and community sentiment and has proven effective in local area traffic management schemes, active transport projects, placemaking, and urban revitalisation initiatives. It may be preferable to take this approach in many situations. Guidance is contained in Appendix A.5 of the NSW Design of Roads and Streets Manual.

For proposals to regulate traffic, councils must provide the Local Transport Forum with:

- Sufficient detail to allow members to understand and assess the proposal
- If applicable (as required by condition 5), details of consultation with affected public passenger service operators undertaken outside of the Local Transport Forum

Statements of Concern

When a proposal is discussed at the Local Transport Forum, any attendee may provide feedback and suggestions on design, technical aspects, general policy, or planning considerations. Members should seek to resolve any concerns or uncertainties during this discussion.

For proposals for which prior referral to the Local Transport Forum is mandatory and where Transport continues to hold concerns following discussion, Transport may indicate that it intends to file, within seven days, a formal Statement of Concern. Other members may express views and raise issues, which Transport will consider, but the Statement of Concern itself may only be filed by Transport.

A Statement of Concern details Transport's concerns, reasoning, and any request(s) for mitigation(s) or alternative action(s). It might relate to an entire proposal or to a specific aspect of its design or location. It must be submitted within seven (7) calendar days, during which time council is not delegated or authorised to implement the proposal. If no Statement of Concern is issued during this time – perhaps due to further discussion and resolution by the parties – council may proceed.

Once received, council must consider the issue(s) raised in a Statement and circulate a written response to all Forum members. It must address the issue(s) raised and either (a) detail the amendments proposed in response or (b) set out council's reasons for proceeding without amendment. Seven (7) calendar days after issuing its response, council may proceed with the proposal.

A Statement of Concern does not oblige council to change or withdraw a proposal, but it does place both Transport's comments and council's response on the public record, which is particularly important where safety concerns are noted. It also provides a time window for further discussion and escalation of significant issues.

Refer to the Appendix for a flowchart that includes the steps associated with a Statement of Concern.

The Statement of Concern process only applies to those proposals for which prior referral to the Local Transport Forum is mandatory. Records tabled for-information-only and proposals referred to the Local Transport Forum at the discretion of council are not subject to the Statement of Concern process. Concerns relating to those matters may be resolved through discussion.

Keeping records (*Condition 4*)

Condition 4: Keeping of records

- (a) The proceedings of the Local Transport Forum must be recorded and made public as soon as practicable.
- (b) A post facto record of any use of the prescribed traffic control device authorisation (excluding any instance that has already been the subject of prior referral per condition 3) must be tabled at the Local Transport Forum as soon as practicable and no later than three (3) months after the fact.

Proceedings of the Local Transport Forum must be made publicly available online in an easily accessible manner as soon as practicable and must include:

- meeting agenda
- meeting minutes

Transport for NSW

- any formal records of use of the prescribed traffic control device authorisation (including those circulated to members out-of-session)
- the entirety of any Statements of Concern submitted by Transport for NSW under condition 3 of Schedule 4 of the Instrument
- the entirety of any council response to a Statement of Concern under condition 3 of Schedule 4 of the Instrument

Additional information may be included at the discretion of council.

For the purposes of condition 4(b) of Schedule 4 of the Instrument, a post facto record of any use of the prescribed traffic control device authorisation must include:

- type
- specific location
- date

Additional information may be included at the discretion of council.

Where a meeting of the Local Transport Forum is not scheduled to be held within three (3) months, a record of use of the prescribed traffic control device authorisation must be circulated directly to all members of the Local Transport Forum. The record must be made publicly available online and forms part of the records of the Forum, even if it has not met.

Coordination with Transport, public transport operators, and Police (Condition 5)

Condition 5: Coordination

- A delegate must consult any public passenger service operator –either directly or via the Local Transport Forum –before exercising any function listed in Schedule 1 of this Instrument or using the prescribed traffic control device authorisation where it is likely to affect the operation of a public passenger service provided by that operator.
- Details of such consultation undertaken outside of the Local Transport Forum must be tabled at the Local Transport Forum as soon as practicable.
- A delegate must give not less than seven (7) days' notice to NSW Police and Transport for NSW –either directly or via the Local Transport Forum –before regulating traffic under this Instrument for the purposes of a public event.

The requirement for consultation in condition 5(a) applies to any function listed in Schedule 1 of this Instrument or use of the prescribed traffic control device authorisation likely to affect the operation of a public passenger service (note: while this may commonly be buses, it applies to any public passenger service, including rail, light rail, metro, and ferry). Practitioners must use professional judgement and take advice as to whether a proposal is likely to affect a public passenger service.

At bus stops, considerations may include whether adequate draw-in and pull-out length is preserved, or whether the design of the kerbside environment ensures ramps can be fully deployed for mobility impaired passengers. On-street designs should ensure turning paths are clear, hazardous merges are not required by drivers, bus priority is maintained or improved, and traffic calming devices are appropriately designed for bus operation.

Engagement with operators may be undertaken directly or through the Local Transport Forum. When undertaken directly, sufficient detail must be given to the operator to allow reasonable assessment of any proposal, and at least seven (7) calendar days should be allowed for feedback before council proceeds. Details of any direct consultation undertaken outside of the Local Transport Forum must be tabled as a record at the Local Transport Forum as soon as practicable.

It is the responsibility of the operator to return feedback to council. Failure to comment when invited to do so does not prevent council from proceeding.

Transport for NSW

Regular bus services may be identified through Transport's online Bus Route Map or on advice of Transport. Design references such as the Bus Priority Toolbox are available through the NSW Design of Roads and Streets Manual.

References (*Condition 6*)

Condition 6: References

- (a) A delegate must use the NSW Design of Roads and Streets Manual (TS 00066, as amended from time to time) as a primary reference when exercising a function listed in Schedule 1 of this Instrument or using the prescribed traffic control device authorisation.
- (b) Use of a portable traffic control light or R4-212n roadwork speed limit sign under this Instrument must be in accordance with the Transport for NSW Traffic Control at Work Sites Manual (TS 05492, as amended from time to time).

The NSW Design of Roads and Streets Manual (DORAS) is a valuable reference for design, engineering, and planning practitioners. It offers guidance on network planning, understanding street and road environments, identifying issues and design solutions, typical design parameters, and application of the Safe Systems approach.

DORAS provides extensive and convenient references to applicable guidance, manuals, technical standards, and policy documents. It recognises that no two contexts and street environments are the same and offers guidance for councils that may wish to adopt local street design guides to reflect local aspirations and conditions.

DORAS provides references and links to many other adopted Transport Standards where relevant, such as the NSW Supplement to AS 1742 Manual of Uniform Traffic Control Devices, the NSW Supplement to Austroads Guide to Road Design, Delineation and Pavement Marking, the Cycleway Design Toolbox, and the Pedestrian Crossing Guideline. The Transport Standards Portal can be used to access these tools. DORAS also provides references to scores of other resources available to practitioners from legislation to examples of international best practice.

DORAS must be used as a primary reference for practitioners using the Instrument.

Transport's reserve powers (*Condition 7*)

Condition 7: Preservation of head of power

Notwithstanding this Instrument, Transport for NSW reserves all and any rights and powers, including to:

- (a) Direct a public authority under clause 81 of Schedule 1 of the *Transport Administration Act 1988*, or alter or remove, or direct the alteration or removal of any prescribed traffic control device, under Part 5.3, Division 2 of the *Road Transport Act 2013*; and
- (b) Carry out road work in accordance with Part 6 of the *Roads Act 1993*; and
- (c) Carry out traffic control work on any public road, including exclusive power to carry out or consent to the construction, erection, installation, maintenance, repair, removal or replacement of a traffic control light in accordance with section 87 of the *Roads Act 1993*; and
- (d) Regulate traffic under Part 8 of the *Roads Act 1993*.
- (e) Revoke or withdraw this delegation, authorisation, or any component of it at any time with respect to any or all delegates.

The Instrument does not affect Transport's (nor council's) rights and powers under legislation.

Council continues to have powers to undertake road work under s71 of the *Roads Act 1993*, to undertake traffic control work on unclassified roads under s87 of the *Roads Act 1993*, and to regulate traffic under s115 to complete those works. Transport retains the power to carry out traffic control work on any road, and to regulate traffic for any purpose.

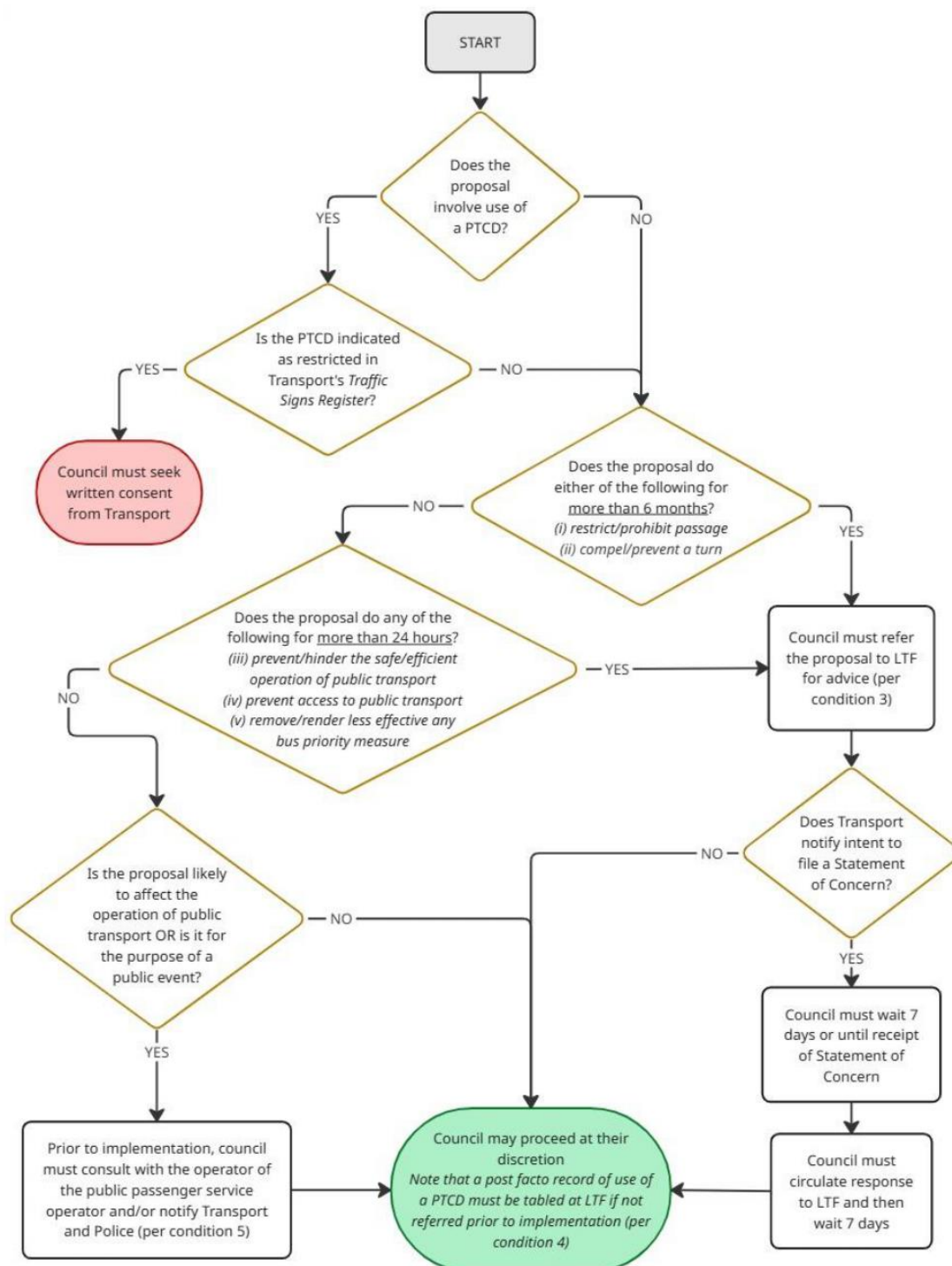
Transport
for NSW

In cases where, despite best efforts, Transport and council cannot agree on a proposed course of action, options for Transport or the Minister for Roads to issue a direction to a roads authority or public authority under legislation are not affected by this Instrument.

Appendix

Exercising an authorised or delegated function

The following process applies to any function exercised using the Instrument. It assumes that the proposed function is otherwise eligible and compliant with Schedule 4.



Glossary

‘Authorisation and Delegation Instrument’ or ‘Instrument’	Abbreviated reference to ‘ <i>Authorisation and Delegation – Prescribed Traffic Control Devices and Regulation of Traffic</i> ’; the instrument that is the subject of this guide.
the/this guide	Abbreviated reference to this document; ‘Guide to Authorisation and Delegation – Prescribed Traffic Control Devices and Regulation of Traffic’.
DORAS	Abbreviated reference to the NSW Design of Roads and Streets Manual (TS 00066).
local road(s) or local network or council’s network	Abbreviated reference to the portion of NSW’s road network on which the Authorisation and Delegation Instrument may be used, that is roads: • within the local government area of the relevant council; and • not classified as a Freeway, Controlled Access Road, Tollway, or Transitway; and • not identified with the ‘Administrative Category’ of ‘State’ in the ‘Schedule of Classified Roads and Unclassified Regional Roads’ (as published and amended from time to time by Transport for NSW) For clarity, this includes unclassified roads and all regional roads (whether classified or not).
LTF	Abbreviated reference to the Local Transport Forum.
‘meeting’ of the Local Transport Forum	Reference to a session of the Local Transport Forum. Meetings can be held physically, digitally, or via correspondence.
portable traffic control light	Approved traffic signals that are transportable and not permanently installed. For the purposes of the Authorisation and Delegation Instrument, ‘portable traffic control light’ is understood and used as per ‘portable traffic signal’ in Transport’s Traffic Control at Work Sites Technical Manual (TS 05492, as amended from time to time).
prescribed traffic control device	A sign, signal, marking, structure, or other device to direct or warn traffic on a road (or part of a road) that is prescribed by the statutory rules of the <i>Road Transport Act 2013</i> for the purposes of this definition. Refer to the <i>Road Transport Act 2013</i>. For the purposes of this definition, the <i>Road Transport (General) Regulation 2021</i> prescribes traffic control devices of a kind mentioned in the <i>Road Rules 2014</i>. Examples of a prescribed traffic control device:

Transport
for NSW

	  NOTE: 'Prescribed traffic control device' is commonly confused with 'traffic control device' or 'traffic control facility'. 'Prescribed traffic control device' is the term which relates to the regulatory signs, signals, markings, etc. of which contravention is an offence. It is 'prescribed traffic control devices' that are the subject of provision (e) of the Instrument (the 'prescribed traffic control device authorisation').
prescribed traffic control device authorisation	Abbreviated reference to the authorisation issued through provision (e) of the Authorisation and Delegation Instrument.
proposal	Abbreviated reference to the intended exercise by council of a function enabled by the Authorisation and Delegation Instrument.
PTCD	Abbreviated reference to 'prescribed traffic control device'.
public event	For the purposes of the Authorisation and Delegation Instrument, 'public event' means any market, gathering, performance, festival, march, celebration, commemoration, or similar held on a road, whether organised by a delegate or another party, and open to the public to attend.
public passenger service	For the purposes of the Authorisation and Delegation Instrument, 'public passenger service' means those publicly accessible transport services (whether provided by motor vehicle, vessel, train, light rail, or metro) for which route, timetable, or network details are available on Transport's trip planning and services website. It includes school services, night services, regional coach services, and rail replacement services. It does <u>not</u> include point-to-point services (such as taxis, hire vehicles, ride-hailing, etc.) or any private or chartered services. References to aid with identifying relevant services: • Bus network and operator maps transportnsw.info • Routes and timetables transportnsw.info • Bus Route Map (available on the Authorisation and Delegation webpage)
regular bus service	As identified on Transport's online Bus Route Map (available on the Authorisation and Delegation webpage) or on advice of Transport.
regulate traffic	To restrict or prohibit the passage along a road of persons, vehicles, or animals. Refer to the <i>Roads Act 1993</i> .

Transport
for NSW

restrict or prohibit passage	For the purposes of the Authorisation and Delegation Instrument: • 'Restrict' means a partial constraint, such as passage only during particular times or for particular purposes (e.g. 'local access only') • 'Prohibit' means to bar or prevent passage, such as a mid-block traffic filter For clarity, compelling or preventing a turn from one public road to another is a restriction on passage. A reduction in vehicle speed or road capacity does not constitute a restriction on passage.
road and road related area	A road is an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles. Refer to the <i>Road Rules 2014</i>. A road related area is any of the following: • an area that divides a road • a footpath or nature strip adjacent to a road • an area that is not a road and that is open to the public and designated for use by cyclists or animals • an area that is not a road and that is open to or used by the public for driving, riding, or parking vehicles Refer to the <i>Road Rules 2014</i>.
road event	Means a speed contest or such other activity as may be prescribed by the regulations for the purposes of this definition. Refer to the <i>Roads Act 1993</i>. For the purposes of this definition, the <i>Roads Regulation 2018</i> also prescribes filming projects within the meaning of the <i>Local Government Act 1993</i> and neighbourhood activities as defined in s79.
road work	Includes any kind of work, building or structure (such as a roadway, footway, bridge, tunnel, road-ferry, rest area, transitway station or service centre or rail infrastructure) that is constructed, installed or relocated on or in the vicinity of a road for the purpose of facilitating the use of the road as a road, the regulation of traffic on the road or the carriage of utility services across the road, but does not include a traffic control facility. Refer to the <i>Roads Act 1993</i>. To carry out road work includes to carry out any activity in connection with the construction, erection, installation, maintenance, repair, removal or replacement of a road work. Refer to the <i>Roads Act 1993</i>.
roads authority	A person or body that is, by or under the <i>Roads Act 1993</i>, declared to be a roads authority and, in relation to a particular public road, means the roads authority for that road. Refer to the <i>Roads Act 1993</i>.
special event parking scheme	Where the whole, or a part of, a road has been set aside as a special event parking area. Refer to the <i>Road Transport (General) Regulation 2021</i>. A special event parking area is the network of roads in an area with — (a) a special event parking area sign on each road into the area, and

- (b) an end special event parking area sign on each road out of the area.

Refer to the *Road Rules 2014*.

traffic control device

A traffic sign, road marking, traffic signals, or other device, to direct or warn traffic on, entering, or leaving a road. Refer to the *Road Rules 2014*.

Examples of a traffic control device:



NOTE: 'Traffic control device' is commonly confused with 'traffic control facility' or 'prescribed traffic control device'.

'Prescribed traffic control device' is the term which relates to the regulatory signs, signals, markings, etc. of which contravention is an offence. It is 'prescribed traffic control devices' that are the subject of provision (e) of the Instrument (the 'prescribed traffic control device authorisation'). 'Traffic control devices' may already be installed and used by councils without relying on the Instrument.

traffic control facility

Means—

- (a) traffic control lights on roads or road related areas, and equipment used in connection with traffic control lights, or
- (b) any sign, marking, structure or device containing or relating to a requirement or direction, contravention of which is an offence arising under —
 - (i) this Act or the regulations, or
 - (ii) any other Act, regulation or by-law prescribed for the purposes of this subparagraph, or
- (c) any other sign, marking, structure or device that is intended to promote safe or orderly traffic movement on roads or road related areas or to warn, advise or inform the drivers of vehicles, or pedestrians, of any matter or thing in relation to vehicular or pedestrian traffic or road conditions or hazards, or
- (d) any bridge or subway or other facility for use by pedestrians over, across, under or alongside a road or road related area, or
- (e) any other thing prescribed as a traffic control facility by the regulations.

Refer to the *Transport Administration Act 1988*.

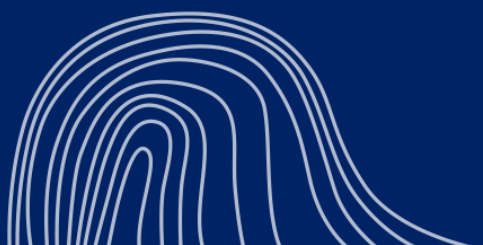
For the purposes of (b)(ii) above, the *Transport Administration (General) Regulation 2018* prescribes the road transport legislation within the meaning of the *Road Transport Act 2013*, which includes the *Road Rules 2014*.

NOTE: 'Traffic control facility' is commonly confused with 'traffic control device' or 'prescribed traffic control device'.

'Prescribed traffic control device' is the term which relates to the regulatory signs, signals, markings, etc. of which contravention is an offence. It is 'prescribed traffic control devices' that are the subject of

Transport
for NSW

	<i>provision (e) of the Instrument (the 'prescribed traffic control device authorisation').</i>
traffic control light	For the purposes of the Authorisation and Delegation Instrument, 'traffic control light' is understood and used as per 'traffic signal' in the <i>Road Rules 2014</i> .
traffic control work	Includes any activity in connection with the construction, erection, installation, maintenance, repair, removal or replacement of a traffic control facility. Refer to the <i>Roads Act 1993</i> .
traffic signal	Bicycle crossing lights, B lights, overhead lane control signals, pedestrian lights, T lights, traffic arrows, traffic lights, or twin red or yellow lights. Refer to the <i>Road Rules 2014</i> .
Transport	Abbreviated reference to 'Transport for New South Wales'.

**© Transport for New South Wales**

Users are welcome to copy, reproduce and distribute the information contained in this report for non-commercial purposes only, provided acknowledgement is given to Transport for NSW as the source.



OFFICIAL

Meeting Date	Action Number	Action Name	Status	Comment
25/04/2024	2, 3, 4 and 6	Change to direction of traffic on Simpson and Convent Parades, Casino	Ongoing	This will require extensive community consultation and as such will be referred to an external source. Council is seeking quotes from external consultant to undertake this works. The results of the community consultation will be presented to the LTC at a future meeting.
25/04/2024	9	Request Power Pole-Mounted Electric Vehicle (EV) Charge Station Trial	Completed	EV station has been installed at of 35 Woodburn Street, Evans Head. Please refer to report presented to the 2 September 2025 Local Transport Forum meeting for further details.
3/06/2025	4.5	Flame Street and Beech Street Traffic Calming - Kim Anderson to advise the LTC whether local bus companies were consulted with and the companies provided feedback regarding the turning circles.	Ongoing	Council has provided details to the local bus companies and is currently awaiting feedback.
3/06/2025	4.6	Dyraaba Street, Casino - Heavy Parking - The LTC noted of the possibility to install regulatory signage for heaving vehicle parking on one side of the road only. Consultation will need to occur with business owners who will be affected and also to consider and explore options to purchase the ARTC parcel of land adjoining the railway to formalise off street parking.	Ongoing	Council has received a further request from a local business located at 218 Dyraaba Street, Casino, seeking the implementation of parking restrictions along Dyraaba Street, specifically to address issues relating to the turning circle into and out of the property. Council's Survey and Design team is currently reviewing a range of options to address the concerns while maintaining minimal impact on surrounding businesses and property owners which will form the consultation with the affected properties. The potential options under consideration include: -No Stopping restrictions near the access point -Timed Parking with potential resident exemptions -Clearway restrictions during key times of day These options will be developed and refined before being presented to local residents and businesses for consultation, which is scheduled to occur in late August to September 2025. Council will use the feedback received to guide any final recommendations or decisions regarding the implementation of parking restrictions.

Local Transport Forum - Update on Outstanding Action Items as at 25 August 2025