



# A guide to delegation to councils for the regulation of traffic

Including the operation of Traffic Committees



The Roads and Traffic Authority (RTA) is the legislated organisation responsible for the control of traffic on all roads in New South Wales (NSW). NSW has many roads, which range from motorways to local streets. All these roads require the control of traffic.

Traffic can be controlled by installing traffic control devices, such as regulatory signs, or through traffic control facilities, such as medians.

The most effective way to deal with traffic related matters on local roads is to deal with them locally. The RTA has therefore delegated aspects of traffic control on local roads to local councils.

The RTA manages the State's classified road network, and local government plays an important role by providing traffic input and advice when necessary.

While this brochure provides a brief reference guide, the RTA has also published detailed guidelines *A guide to the delegation to councils for the regulation of traffic, including the operation of Traffic Committees* which provides the policy and framework for councils to exercise their delegated traffic functions. The guidelines outline the delegated functions of councils, the limitations that apply to councils when exercising these functions, the responsibilities of the various parties involved in the process and the role of local and regional traffic committees.

These guidelines can be accessed from the technical manuals section of the RTA website – [www.rta.nsw.gov.au](http://www.rta.nsw.gov.au).

## What is a Local Traffic Committee?

The Local Traffic Committee (LTC) is primarily a technical review committee. It advises a local council on traffic control matters that have been referred to the local council. These matters must be related to prescribed traffic control devices or traffic control facilities for which council has delegated authority.

The LTC is made up of four formal (voting) members. The members are:

- A local council representative.
- A NSW Police Force representative.
- An RTA representative.
- The local State Member of Parliament (MP) or their nominee.

A local council (in consultation with the formal members of the LTC) may also decide to have additional informal (non-voting) advisors to the LTC who can provide input into the process. These additional advisors can include a:

- Road Safety Officer.
- NSW Ministry of Transport representative.
- NSW Fire Brigade representative.
- NSW Ambulance Service representative.
- Bus operator representative.
- Transport Workers Union representative.
- Chamber of Commerce representative.

Generally, informal advisors are not required to attend every LTC meeting. Their attendance is only required when an item appears on the agenda related to their area of expertise or responsibility.

## What is a Regional Traffic Committee?

A Regional Traffic Committee (RTC) deals with appeals from the RTA or the NSW Police Force, members of the LTC. Local council, the local State MP or residents are not entitled to appeal to the RTC. Regional Traffic Committees operate across the state and consist of the following members:

- An Independent Chairperson (appointed by the RTA with concurrence from the Local Government and Shires Association).
- The LGSA nominee (usually a Local Government Engineer from the region).
- An RTA representative (usually the local Regional Traffic Manager).

When a notice of appeal and relevant information is lodged with a RTC, the Chairperson will convene a meeting and the appeal matter is discussed. Meetings are generally held in the offices of the local council. The Chairman shall determine who, if anyone, shall be permitted to address the RTC based on the documented evidence presented by each party prior to the appeal. Generally only the members of the RTC and each party involved in the appeal attend the meeting.

The LGSA and RTA representatives provide advice as required by the Chairman but do not vote. The decision of the RTC Chairperson in regard to such matters is final and binding on all parties.

→ For further enquiries

 [www.rta.nsw.gov.au](http://www.rta.nsw.gov.au)

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Roads and Traffic Authority

March 07  
RTA/Pub. xxxxxx



## Meetings

The LTC is not a committee under the Local Government Act, 1993. The operating arrangements for the LTC are contained within the RTA guidelines *A guide to the delegation to councils for the regulation of traffic, including the operation of Traffic Committees.*

The most common format for LTC meetings is a monthly face-to-face meeting held in the offices of the local council. The council can determine the following:

- Conduct at the meeting.
- Frequency of meetings.
- Format of meetings (within the RTA guidelines).

The LTC meeting is to be convened by a local council representative. The convenor may be the council's voting member or may be an additional non-voting member of the committee.

While there is no need for a specific quorum to allow an LTC meeting to proceed, any advice can only be returned to the elected council or their sub-delegate by the LTC if the views of the RTA and the NSW Police Force have been obtained.

Acceptable alternative meeting formats include:

- Electronic meetings – where the advice of the members is sought via facsimile or email.
- A combination of electronic (for minor issues) and face-to-face meetings.

All LTC meetings require the preparation of an agenda which should be prepared by the local council and circulated to all formal members and informal advisors prior to the meeting. It is recommended that this occur at least one week before the meeting to allow members time to fully consider the issues and undertake a site visit if necessary.

For each agenda item, there should be a brief summary of the issue, details of the proposed solution including a plan if the proposal involves signs, lines or structures, details of the policies, guidelines, and standards used (if any) and the proposed recommendation to the elected local council. Meeting papers should also include a summary of the final decisions made on items addressed at the previous meeting or on any items addressed since the last meeting.

The LTC agenda should only contain items which require the elected local council to exercise its delegated functions. If no action is required or advice only is being sought or the issue does not require the exercise of delegated functions then the issue should not appear on the LTC agenda and should be dealt with as general traffic advice.

Items which do not appear on the agenda (ie items without notice) should only be considered if the elected local council has referred the issue and council officers have been able to prepare a summary on the proposal in the normal manner. Items raised without notice must be referred to the next meeting (or dealt with separately between meetings) if any member of the committee requests time to consider the issue.

All LTC meetings require the preparation of minutes. Local council must prepare the minutes of the meeting and copies forwarded to all LTC members for their concurrence prior to the recommendations either being presented to the elected local council or acted on by the council's sub-delegate.

Council officers may also need to prepare a report to the elected local council. This report must indicate the type of support from the LTC (ie unanimous or not unanimous). Where the advice is not unanimous, dissenting votes should be noted.

All proposals recommended by the LTC must still be formally approved by the elected local council (or their sub-delegate), subject to certain limitations.



## How does a Local Traffic Committee operate?

The local council must refer all traffic related matters to the Local Traffic Committee (LTC) prior to exercising its delegated powers. Matters related to classified roads or functions that have not been delegated to the council must be referred directly to the RTA or relevant organisation, not the LTC. However, the RTA will generally seek the views of the council on classified road traffic issues via the general traffic advice process.

The LTC considers the technical merits of each proposal it receives and ensures that the proposal meets current technical guidelines. When considering a proposal, each formal member of the LTC is entitled to one vote. These votes must be recorded as part of the meeting minutes if the decision is not unanimous.

The LTC has no decision-making powers and a council is not bound by the advice of its LTC.

However, should a council decide to proceed with a proposal that does not have the unanimous support of the LTC, then council must notify the RTA and the NSW Police Force in writing and wait 14 days from that point before proceeding.

## Can a member of the public attend a Local Traffic Committee meeting?

LTC meetings do not have public galleries. However, the LTC may allow residents or other interested stakeholders to address the committee.

The LTC may agree to limit the number of public presenters on any particular item and/or place time limits on them. This should be conveyed to the presenters at the time they are notified of the LTC's agreement for them to address the committee.

Under no circumstances should residents or other non-member stakeholders remain at the meeting while the proposal is debated and a vote taken.

## Can the media attend a Local Traffic Committee meeting?

Should the media be interested in a proposal being considered, they are to be treated in the same manner as residents and other non-member stakeholders. They may attend a meeting while the public is addressing the committee but should not be permitted to remain during LTC discussions and voting on a proposal.

## General traffic advice

Local councils often require advice on, or investigation of options for, difficult traffic problems. Council may also wish to consider traffic issues, which are outside the delegation (eg installation of speed limits or traffic control signals). As these problems or issues do not require the exercise of delegated functions at that point in time (though they may or may not require it in the future) they should not be dealt with as formal items by the LTC.

However, council may take advantage of the knowledge and experience of the LTC members to help them to resolve or clarify an issue.