

Regional Road Transfer and NSW Road Classification Review – Independent Panel

Terms of Reference

1. Background/Context

In February 2019, the NSW Government announced the transfer of up to 15,000 kilometres of regional roads to the State as part of a broader package of support for local councils to better manage and maintain the rural road network.

Future Transport 2056 identifies the NSW Road Classification Review (Classification Review) as a key initiative to make adjustments to the classification policy framework and update the road network to align with the 'Hub and Spoke' Transport Network Model and the 'Movement and Place' Framework.

The last review was undertaken between 2003 and 2009, with implementation finalised in 2012.

Undertaking the transfer of regional roads in parallel with the Classification Review will ensure equity and transparency in all changes and support the development of an integrated Road Transport Network.

2. Purpose

The Independent Panel (the Panel) will be established to:

- provide advice on the process for the transfer of regional roads and the review of the road classification policy framework for the NSW road network;
- identify eligible roads that could be transferred to the NSW Government;
- provide advice and make recommendations to government on the prioritisation of any regional roads for transfer to the NSW Government;
- to consult with councils and other key stakeholders on the transfer of regional roads and the future road classification policy framework for the NSW road network;
- provide an analysis of the financial implications of recommended road transfers for both the NSW Government and local councils, particularly as to how this may affect grants and financial assistance councils currently receive;
- ensure consideration is given to maintaining local employment in roads maintenance works, such as through Roads Maintenance Council Contracts;
- ensure a balanced and logical approach to the allocation of state and regional roads; and,
- ensure recommendations in relation to the potential transfer of regional roads and the classification policy framework for the NSW road network are based on sound economic and planning principles that support the customer and network outcomes identified in *Future Transport 2056*.

3. Governance

The Panel governance arrangements are designed to ensure that appropriate mechanisms are in place to deliver an effective road classification review and regional road transfer.

i. Authority

The Panel will make recommendations for consideration by the NSW Government, with decisions on the Government's response to those recommendations to be made through the Cabinet process. The Panel is not authorised to take any decision on behalf of the NSW Government.

ii. Membership and Procedure

To achieve the strategic and operational objectives of the transfer of regional roads and Classification Review, the Panel will not include representatives of Transport for NSW.

The Panel will be comprised of six members:

- Ms Wendy Machin (Chair)
- Mr Peter Duncan AM
- Ms Jillian Kilby
- Mr Peter Tegart
- Mr John Roydhouse
- Mr Michael Kilgariff

An interdepartmental advisory group will be established to support the Panel in the extensive investigative work necessary to complete a thorough review of the NSW road network. The advisory group will comprise of representatives from NSW Department of Premier and Cabinet, NSW Treasury, NSW Department of Planning, Industry and Environment, and Transport for NSW. It will also provide the Panel with supportive analysis and advice on the wide-reaching implications of road classification for other areas of government policy. The advisory group will not have any decision-making authority and will act as directed by the Panel.

iii. Confidentiality and Dissemination of Information

Members of the Panel will not make public comment or issue media releases on behalf of the Panel or the Government, without prior approval from the Minister for Regional Transport and Roads.

The Panel members will undertake their role using due care, honesty and integrity. All work of the panel, including any reports prepared for government, will be treated as Cabinet-in-Confidence until the Government makes a decision for its public release.

The Chair of the Panel holds primary accountability for the dissemination of papers to members.

The Panel will remain in place until such time as is determined by the Minister.

iv. Secretariat

Secretariat support will be provided by Transport for NSW and will include but not limited to the following key functions:

- Coordination and distribution of the Panel meeting papers
- Recording minutes and meeting actions
- Development of a consultation paper
- Coordination and submission of advice and recommendations to the Minister.
- Support for stakeholder engagement and liaison with Council
- Development of a Communication Plan for review and approval
- The collection and recording of nominations for the Regional Road Classification Review
- Coordinating Gazettal changes based on the recommendations of the panel and approval of the minister.

v. Meeting Frequency

The Panel will meet as required, which is to be determined by the Chairperson in consultation with the Panel. Where a particular urgent issue dictates, every attempt will be made to provide at least five working days' notice of any meetings.

4. Reporting

The Panel will report to the Minister for Regional Transport and Roads, and provide him with a copy of all minutes and proceedings within a reasonable timeframe after each meeting.

The Panel will provide an interim report to the NSW Government through the Minister, advising on early findings and recommending a priority list of road transfers. This will occur at the Panel's discretion.

The Panel will provide a final report to the NSW Government through the Minister in accordance with the timeframe set out below. The Panel may seek a variation to the timeframes below but must put this request to the Minister in writing three weeks in advance of the milestone that it is requesting to amend.

5. Resources

The interdepartmental advisory group, coordinated through the Secretariat, will support the Panel.

Internal resources including meeting rooms will be used as far as practicable.

All resources used by the Panel will be organised through, and provided by, the Secretariat.

6. Deliverables

The following table provides a summary of the key steps and deliverables with indicative timeframes.

Key Steps	Timing
Panel appointed	January 2020
Draft Terms of Reference released for council feedback (four weeks)	January 2020
Terms of Reference established	February 2020
Panel releases consultation strategy with councils and invites submissions on priority road transfers	February 2020
Deadline for council submissions on priority roads	June 2020
Provide interim report to the Minister for Regional Transport and Roads including a proposed priority list of roads to be transferred to state ownership	September 2020
Priority Road Transfer List (Round 1)	November 2020
Panel to provide further proposed road transfer lists to the Minister for Regional Transport and Roads	Ongoing (until complete in accordance with Panel's investigations)
Independent Panel delivers final report and recommendations through the Minister for Regional Transport and Roads for consideration by the NSW Government on the Regional Road Transfer and NSW Road Network Classification	July 2021*

*Subject to change due to consultation process. All timelines are indicative only.