

Roads Act 1993

A Submission to Transport for New South Wales

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1. INTRODUCTION

The Australian Logistics Council (ALC) welcomes the opportunity to respond to Transport for New South Wales’s *Roads Act Review Options Paper*. The Roads Act 1993 has served NSW for more than three decades. This submission outlines reforms that ensure the Act reflects contemporary road use, freight requirements, and technology while maintaining the reliability and efficiency essential to national and local supply chains.

ALC represents Australia’s largest end-to-end freight logistics supply chain companies, operating across road, rail, sea, and air. Efficient road freight underpins household access, business activity, exports, and the broader economy. Reforms to the Roads Act must balance community and active transport objectives with the national interest in a safe, efficient, and resilient freight network.

This submission draws on Transport for NSW’s supporting materials, including the Roads Act Review – Crown Roads Fact Sheet and the Roads Act Options Paper Scenarios document. These provide useful insights into how different models operate and how Crown roads can be more effectively integrated into the broader network.

2. ALIGNMENT WITH GOVERNMENT OBJECTIVES

The Options Paper outlines four objectives: contemporary uses, faster local decision-making, adaptability, and resolution of operational challenges. ALC supports these objectives and notes that freight movement is central to achieving each:

- **Contemporary use:** Roads now serve multiple functions, from movement and access to recreation. Freight enables these functions by supplying homes, construction, retail, and essential services. Protecting kerbside and corridor access for deliveries and heavy vehicles is therefore critical to community and economic activity.
- **Faster decisions:** Freight operators often traverse multiple local government areas (LGAs) daily. A consistent, digitised permitting system, supported by clear escalation pathways, would reduce administrative delays, and improve operational efficiency.
- **Adaptability:** Roads must evolve to support zero-emission vehicles, high-productivity freight vehicles (HPFVs), and automation. A flexible and future-proof Act prevents costly retrofitting and encourages private investment in modern technology.

- **Operational challenges:** Local authorities cannot manage roads with state or national freight significance in isolation. State-level coordination ensures consistent performance standards, protects critical freight routes, and maintains network efficiency.

In addition, ALC supports the review’s recognition that Crown roads are integral to the overall network. They provide essential access to regional industries and agricultural freight routes. A consistent approach to Crown Road management, mapping, and transfer processes will be vital to maintaining freight continuity and preventing the unintended loss of strategic corridors.

Reforms should also balance pedestrian and active transport objectives with the operational requirements of freight and postal services. Any change to kerbside or roadside management must ensure efficient and safe access for delivery vehicles. Maintaining abundant, well-located delivery and loading zones is essential to sustaining last-mile reliability and community amenity. These considerations should form a core principle in any revision of the Roads Act.

3. PURPOSE AND OUTCOMES

ALC strongly supports embedding a clear statutory purpose and set of outcomes within the Roads Act to guide planning, investment, and decision-making. The performance statement proposed in the Options Paper should explicitly recognise **the efficient and reliable movement of freight**, rather than relying on broad references to productivity alone. Freight productivity and reliability should be recognised as co-equal objectives alongside safety, sustainability, and resilience, ensuring that prioritising vulnerable road users does not inadvertently constrain network efficiency or impose higher costs. Freight corridors, intermodal connections, and kerbside servicing are essential components of the transport system, underpinning both community activity and economic function. Decision-making under the Act should explicitly account for the national freight task and align with the National Freight and Supply Chain Strategy and the NSW Freight and Ports Plan. These measures would establish a modern legislative framework capable of delivering both liveable, amenity-rich places and the reliable, efficient movement of freight.

The Roads Act should also incorporate measurable freight performance outcomes—such as reliability, efficiency, and access—to enable transparent evaluation of progress over time.

4. ALC PREFERRED MODEL – A HYBRID APPROACH

The Options Paper presents three models for reform. On balance, Model 1 would provide incremental improvements but risks entrenching fragmented decision-making and outdated practices. Model 3 introduces valuable accountability mechanisms but could delay reform and add governance complexity. Model 2 offers the most practical foundation for integrated, long-term road and freight planning.

Accordingly, ALC supports a hybrid model led by the principles of Model 2 (Plan-Led Framework), strengthened by the operational clarity and digital efficiencies of Model 1 and the governance oversight and performance measures of Model 3. This integrated, balanced approach ensures strategic coordination and operational efficiency, embedding freight priorities from early planning through day-to-day management. It provides a framework capable of supporting freight competitiveness, road-rail integration, safe multimodal access, and resilience across the entire road hierarchy—including Crown, local, and state-managed roads.

- **Model 1 – Codify Existing Practice (pp. 45–49):** Model 1 aligns with ALC’s priorities by enhancing clarity, consistency, and efficiency in regulatory processes—principles underpinning ALC’s advocacy for a nationally harmonised freight framework. As outlined on page 45, this model consolidates current practice into statute, improving transparency and predictability across jurisdictions and clarifying responsibilities between state and local governments. The model’s incremental transition (p.48) and proposed digital integration of permit and access systems (p. 47) support data-driven oversight and easier access to freight information. ALC endorses retaining ministerial oversight and existing delegations where effective (pp. 48–49) to ensure accountability and continuity.

To strengthen the model, ALC recommends building on the digital transition by adopting digitised permits and road-opening notices and standardised approval processes across local government areas for heavy-vehicle access. These refinements embed modern digital tools in a familiar framework, reducing duplication and supporting long-term freight productivity and sustainability.

- **Model 2 – Plan-Led Framework (pp. 51–57):** Model 2 most closely reflects ALC’s strategic vision by integrating transport and land-use planning, improving transparency, and reducing duplication—key principles of an efficient, nationally consistent freight network. Pages 51–54 introduce statutory road network plans that link access conditions, land use, and network roles, directly aligning with ALC’s call for freight-corridor protection and multimodal connectivity. Embedding these plans within the NSW Planning Portal (p. 53) would enhance spatial

visibility and data accessibility—an ALC priority for evidence-based investment. ALC supports making such network plans a statutory requirement and ensuring that land-use changes automatically trigger reviews of road classification and access (p. 54), so freight corridors and kerbside access points are identified and safeguarded early. Further, the model’s risk-based decision-making, integrated approval pathways, and clear escalation processes (p. 56) align with ALC’s goal to reduce administrative burden and harmonise local–state decision-making. Model 2 thus offers a coherent, forward-looking framework embedding freight into planning to protect industrial land and improve long-term network resilience.

- **Model 3 – Institutional Change (pp. 61–64):** Model 3 advances ALC’s priorities by focusing on governance reform, performance accountability, and whole-of-system stewardship. It proposes separating operational and regulatory functions (pp. 61–62) to improve clarity and establish independent oversight, which ALC supports for transparent, measurable performance outcomes. ALC endorses the creation of a strategic oversight body distinct from day-to-day management (pp. 63–64) and the adoption of a system-stewardship model (p. 64) to drive nationally coordinated, evidence-based regulation. Consistent compliance and enforcement tools (p. 65) would reduce ambiguity and arbitrary penalties. In responding to the questions on p. 65), ALC supports embedding freight-industry representation within governance structures and ensuring state oversight in local decisions affecting freight corridors. Although Model 3 requires greater institutional change, its emphasis on regulatory maturity, transparency, and performance measurement aligns with ALC’s call for a modern, accountable transport governance framework.

5. KEY ISSUES FOR RESOLUTION

Crown Roads: The review highlights the need for better management and data visibility for Crown roads. ALC recommends that any transfer or closure decisions include freight significance, industrial access, and regional economic value as assessment criteria. Integration of Crown Road data into a single digital register—aligned with state and local road classifications—would improve transparency and protect freight continuity.

The Roads Act should clearly define responsibilities for freight access, construction impacts, and management of roads linked to major projects, including Critical State Significant Infrastructure (CSSI). Mandatory freight access plans should apply to all CSSI projects, and councils’ ability to impose conditions that delay or disrupt major projects should be limited. Shared spaces and community amenity must be supported, but any lane reductions, restrictions, or trials should undergo robust freight impact assessments. These assessments should also consider pedestrian and active transport safety, ensuring that kerbside management maintains equitable access while preserving efficient roadside delivery operations. Local discretion must be balanced with state-wide standards and escalation pathways to avoid fragmented decision-making. Statutory mapping and protection of freight corridors, loading zones, and industrial access points are essential. Councils should not rezone or restrict access to mapped corridors without state approval, and mapping should align with the *NSW Freight and Ports Plan* and *National Key Freight Routes*. Transparent processes for road closures and construction impacts should ensure adequate consultation and real-time digital notifications to industry. Consistent and proportionate enforcement mechanisms aligned with Austroads standards will enhance regulatory fairness and national coherence.

6. TECHNOLOGY AND FUTURE-PROOFING

The Act should enable initiative-taking planning for zero-emission, connected, and automated freight vehicles, while embedding digital tools that modernise road management and improve data-sharing. Specifically, ALC recommends establishing a single digital source of truth that integrates Crown, local, and state road ownership, classification, access restrictions, and freight data. This register should support automated permitting, data exchange with industry systems, and freight performance monitoring. Adoption of digital mapping layers for freight priority routes within the NSW Planning Portal would enhance transparency, investment certainty, and interagency coordination.

7. GOVERNANCE AND ESCALATION

ALC supports a statutory decision review panel to resolve conflicts between local and state priorities. Its mandate should be defined in legislation, explicitly linking decisions to freight productivity, safety, and reliability. Clear triggers for intervention and freight industry representation will ensure operational expertise informs outcomes. This aligns with Model 3’s proposed “System Steward” role, which could serve as a permanent, independent body ensuring that decisions affecting freight are made consistently across jurisdictions. ALC recommends formal freight-industry representation on this panel, ensuring operational expertise informs decisions about corridor access, road reclassification, and infrastructure standards.

8. SAFETY AND RESILIENCE

The Act should embed network resilience principles through identification and maintenance of redundant freight routes. Integration with climate adaptation strategies will ensure continuity during natural disasters, maintenance, or

emergencies. As demonstrated in Scenario 3 of the Scenarios Paper, the introduction of “permitted with consent” pathways for emergency repairs could enable councils and operators to restore access to freight corridors more rapidly following floods or other disruptions.

9. CONCLUSION

Reforming the Roads Act is an opportunity to establish a modern, adaptable framework that balances community needs with the national interest in efficient freight movement. ALC supports a hybrid reform model that integrates Model 2’s planning coherence, Model 1’s digital and procedural efficiency, and Model 3’s governance accountability, ensuring Crown, state, and local roads are managed as one integrated system.

10. RECOMMENDATIONS

1. Recognise Freight as a Distinct Road User

- Amend planning and transport legislation to explicitly acknowledge freight as a distinct user category.
- Include rail-connected and intermodal freight in strategic planning and decision-making processes.

2. Streamline Approvals for Freight Infrastructure (Section 138)

- Establish a fast-track, risk-based approval pathway for freight-related infrastructure works to reduce delays.
- Apply consistent criteria to ensure safety, operational efficiency, and environmental compliance.

3. Classify Strategic Freight Corridors

- Develop a formal classification system for key freight routes, including primary and secondary corridors.
- Protect corridors from encroaching incompatible land uses and ensure prioritisation in infrastructure investment.

4. Integrate Freight in Land Use Planning

- Incorporate freight requirements into local and state planning schemes, including zoning and buffer provisions.
- Prevent rezoning or residential encroachment that could limit freight operations or modal shift opportunities.

5. Enhance Intermodal and Rail Freight Capacity

- Prioritise investment in freight rail, intermodal terminals, and supporting road infrastructure.
- Improve rail access, reliability, and scheduling to incentivise mode shift from road to rail.

6. Future-Proof Energy and Zero-Emission Freight Infrastructure

- Ensure planning for freight infrastructure incorporates alternative and low-emission fuel readiness (e.g., hydrogen, battery-electric, renewable diesel).
- Include charging and refuelling infrastructure in corridor and terminal design.

7. Improve Freight System Resilience

- Embed redundancy and capacity planning into key freight corridors to manage disruptions.
- Adopt a whole-of-system approach to interconnectivity between ports, rail, and road.

8. Strengthen Data and Decision-Making Frameworks

- Require freight-specific data collection to inform planning and investment.
- Use performance metrics, including logistics efficiency and environmental impact, to guide corridor prioritisation.

9. Harmonise Regulatory and Planning Approaches Across Jurisdictions

- Align NSW policies with federal and other state freight strategies to reduce fragmentation.
- Streamline compliance requirements for multi-jurisdiction freight operators.

10. Engage Industry Early in Infrastructure Planning

- Establish formal consultation mechanisms with freight and logistics operators for new projects.
- Encourage public-private partnerships where feasible to accelerate delivery and adoption of modern freight solutions.

11. Clarify Crown roads' role within the Roads Act and ensure their management reflects freight access and connectivity priorities.

- Integrate Crown roads into a state-wide digital road register covering ownership, classification, and freight significance.
- Require freight impact assessment criteria for any proposed Crown Road transfer or closure.