



LIVERPOOL LOCAL TRAFFIC COMMITTEE CHARTER

October 2024

Adopted: 10 December 2024

TRIM: 2024/0839-003

LIVERPOOL LOCAL TRAFFIC COMMITTEE CHARTER

1. NAME

Liverpool Local Traffic Committee to be referred as Local Traffic Committee (Committee)

2. INTERPRETATION

For the purpose of this Charter:

“Council” – means Liverpool City Council

“CEO” – means Chief Executive Officer

“Committee” – means Liverpool Traffic Committee

“Guide” – means an RTA publication on the operation of Traffic Committees, ‘*A Guide to the Delegation to Councils for the Regulation of Traffic*’. The publication can be assessed via the following link.

[A Guide to the delegation to councils for the regulation of traffic Including the operation of Traffic Committees \(nsw.gov.au\)](https://www.nsw.gov.au/transport-and-infrastructure/road-traffic/traffic-committees)

“Temporary Delegation/s” – refers to the Transport for NSW ‘*Instrument of Delegation and Authorisation: Temporary Delegation to Councils*’ The publication can be accessed via the following link.

[Instrument of delegation and authorisation temporary delegation to councils \(nsw.gov.au\)](https://www.nsw.gov.au/transport-and-infrastructure/road-traffic/traffic-committees)

“Committee member” – means a formal member of the Committee

3. PURPOSE

The purpose of the Committee is to provide expert advice to enable Council to exercise its delegation from Transport for NSW (TfNSW) in regard to traffic facilities as defined in the *Transport Administration Act 1988*. Council must refer all traffic related matters to the ‘Committee’ prior to exercising its delegated functions.

The Committee has no decision-making powers. The Committee is primarily a technical review committee, required to advise Council on matters referred to it by Council or relevant for Council. These matters must be related to prescribed traffic control devices and traffic control facilities for which Council has delegated authority.

The Committee should consider proposals on their merits and to ensure that they meet current standards, technical guidelines, policies and practices.

LIVERPOOL LOCAL TRAFFIC COMMITTEE CHARTER

4. FUNCTIONS

Council has limited powers to regulate traffic on local roads under its care and control as set out in Section 115 of the *Roads Act 1993* such as carrying out work on a road etc., whereas the Transport for NSW (TfNSW) can regulate traffic for any purpose on state and local roads. If Council wishes to regulate traffic for purposes other than those specified in Section 115 of the *Road Act 1993* or the Temporary Delegations it must seek advice of the Committee.

The Committee's function, membership, operation and administration, is as outlined in the Guide. This Charter should be read in conjunction with the Guide and the Temporary Delegations.

5. COMMITTEE DELEGATIONS

Councils may only exercise their delegated functions in accordance with the Delegation to Councils – Regulation of Traffic, and the 'Temporary Delegations'. Liverpool City Council Councillors and the CEO have sub-delegation powers in accordance with this delegation.

6. MEMBERSHIP OF THE LOCAL TRAFFIC COMMITTEE

In accordance with the Guide, the Committee is made up of the following formal (voting) and informal (non-voting) members. Formal members have voting rights:

Formal Members

- One representative of Council (Councillor)
- One representative of the NSW Police Force
- One representative of the TfNSW
- The Local State Members of Parliament (MP) of relevant electorates.

The Council's representative is nominated by Council, to chair the Committee meeting.

Informal Members (non-voting)

The informal (non-voting) members can provide input into the process, which can include: Council's technical officers, representatives of the local bus companies, fire brigade, ambulance and Chamber of Commerce.

Chairperson

The Chairperson must be a representative of Council. At the first Calendar Meeting of the respective year, the formal members shall be required to nominate and second a

LIVERPOOL LOCAL TRAFFIC COMMITTEE CHARTER

representative of Council to act as the Chairperson for the relevant year. The representative can be a Councillor but does not need to be.

The Chairperson can vote, or, with prior notification to the LTC can delegate their vote to another Council Staff member.

Quorum

No special quorum is required for meetings. However, Council requires the Committee to obtain TfNSW and Police comments prior to formulating its recommendations for Council to base its resolutions on traffic facilities.

Caretaker Period

If it is necessary to hold a Committee meeting during caretaker period, and a Councillor is the Chairperson, they are required to nominate a temporary chairperson prior to caretaker period commencing. If this approval and nomination does not occur then no Committee meeting should take place during caretaker period. In instances where a Councillor is not the Chairperson, the Chairperson should seek the approval of Council prior to undertaking a Committee meeting during caretaker period. If this approval is not provided, no Committee meeting should take place.

Voting

While an organisation (which is a voting member) may choose to send more than one representative, that organisation is still limited to one vote only.

Office Bearers

The Committee is chaired by Council's nominated person.
The Chairperson may delegate their voting power to a Council Staff member.

7. TERM OF OFFICE

Formal members continue on the Committee on an ongoing basis, as formal and informal member representatives.

8. GENERAL PUBLIC

At the Chairperson's discretion, members of the public can be granted permission to attend. However, the invited person will not be part of the Committee's decision process.

LIVERPOOL LOCAL TRAFFIC COMMITTEE CHARTER

9. TIMETABLE FOR MEETINGS

The Committee meets once every two months. Meeting timetable is on the Council's website.

10. MEETING PRACTICES AND PROCEDURES

Except as otherwise provided by this Charter, the Committee may regulate its own procedure at meetings.

The Committee is not a committee within the meaning of the *Local Government Act 1993*. Therefore, the operating arrangements for the Committee are as outlined in the Guide. Council's Traffic and Transport Management team administers the Committee. The Department prepares the Committee's agendas, minutes and reports.

All views including unanimous or dissenting views are to be recorded. The Committee only makes recommendation for Council's *consideration and decision*. Should Council's decision be contrary to the Committee's advice, members should be advised accordingly.

If unsatisfied with Council's action on its advice, the Committee or its formal member, can make representation to Regional Traffic Committee for assessment and recommendation to Council.

All formal Committee members are to disclose conflict of interest prior to start of meetings and is not to take part in discussion, or influence assessment and recommendation to Council.

Items by Exception

Committee members are to be provided a draft meeting agenda at least 12 days prior to a meeting. Committee Members then have 10 Days to review the agenda and confirm which items they would like discussed by the Committee. A final meeting agenda will then be issued to Members no later than 2 days prior to the meeting. Items that are not identified by members will not be discussed at the Committee and are taken as approved.

11. SITE VISITS

It is recommended that Committee members, formalise themselves with traffic conditions prior to considering any proposal. If required, site visits may be undertaken individually by Committee members or be organised by Council as a joint visit.

12. PROCEDURE FOR APPROVED ITEMS

The Committee must also endorse the appropriate delivery method. The proposed delivery method shall be included in the LTC report and make reference to the Team responsible for the implementation of the proposed treatment.

LIVERPOOL LOCAL TRAFFIC COMMITTEE CHARTER

Categories will include, but not be limited to;

- Council's Project Delivery Team who will deliver infrastructure projects. i.e. Roundabouts, etc.
- Council's Maintenance Team who will deliver signage and line marking projects.
- Developers who will deliver in accordance with their conditions of consent

13. INSURANCE

Committee members are covered by Council's personal accident insurance only for attendance at meetings in Council premises and other activities formally endorsed by the Committee.

14. CODE OF CONDUCT

All Committee members are required to observe the provisions of Council's Code of Conduct and any other policy applicable to the proper functions of the Committee.

Should a Committee member breach Council's Code of Conduct or any other relevant council policy, the matter will be referred to the Chief Executive Officer to be dealt with in accordance with Council's Code of Conduct procedures.

A breach of the Code of Conduct may result in the Committee member being excluded from membership of the Committee.

All Committee members have an obligation to report any pecuniary interest in any matter with which the Committee is concerned and is present at a Committee meeting at which the matter is being considered, must disclose the interest to the meeting at the beginning and must not be present during any discussion or decision making relating to that matter. Leaving the room is necessary because to remain in the presence of the meeting but refrain from voting is taken to be a vote against the motion.

15. CONFIDENTIALITY AND PRIVACY

Committee members may come in contact with confidential or personal information retained by Council. Committee members are required to maintain the security and confidentiality of any such information and no access, use or removal of that information, unless authorized to do so.

The *Privacy and Personal Information Protection Act 1998* and Council's Privacy Management Plan deal with the collection, holding, use, correction, disclosure and transfer of personal information.

LIVERPOOL LOCAL TRAFFIC COMMITTEE CHARTER

16. MEDIA PROTOCOL

The Chairperson of the Committee is the only person permitted to speak to the media on behalf of the Committee, subject to the appropriate provisions of Council's Media Representation Policy and should be addressed through the normal Council meeting process.

17. REVIEW

This Charter will be reviewed every two years. The next review to occur during the 2026 Calendar Year.

AUTHORISED BY

Council

EFFECTIVE FROM

10/12/2024

DEPARTMENT RESPONSIBLE

Planning & Compliance (Transport Management Department)

VERSION

Version	Amended by	Date	TRIM Number
1	CW	15 February 2018	036186.2018
2	CW	23 May 2018	054689.2018
3	CW	9 May 2022	307321.2022
4	PB	27 November 2024	2024/0839-003

REFERENCES

- i. The delegated authority is as defined in the *Transport Administration Act 1988*.
- ii. *Roads Act 1993*
- iii. *Local Government Act 1993*
- iv. *Road Transport Act 2013*
- v. Delegation to Councils – Regulation of Traffic (Roads and Maritime Services) 2023 –
 - a. Noting Clause 6 has been revoked

LIVERPOOL LOCAL TRAFFIC COMMITTEE CHARTER

As of late 2023, clause 6 of the *Roads and Maritime Services – Delegation to Councils – Regulation of Traffic* has been revoked. This clause related to sub-delegation of functions in Division 2 of Part 8 of the *Roads Act 1993*. Revocation of this clause has the effect of permitting councils to sub-delegate functions in Division 2 of Part 8 to employees of the council.

- vi. A Guide to the Delegation to Councils for the Regulation of Traffic (including the operation of Traffic Committees) (Roads and Maritime Services) Version 1.3, 2009
- vii. Instrument of Delegation and Authorisation – Traffic Management and Pedestrian Works – Temporary Delegation to Councils No.2
- viii. Road Rules 2014 - Road Rules 2014 - NSW Legislation
- ix. Guide to Transport Impact Assessment 2024 - Effective 4 November 2024 (supersedes the Guide to Traffic Generating Developments (GTGD 2002) and Updated Traffic Surveys Technical Direction (TDT 2013/04a).