

Resolution of Council

21 September 2020

Item 4.4

Local Pedestrian, Cycling and Traffic Calming Committee - Policies and Procedures, Membership and Appointment of Chairperson and Alternate Chairperson

Memorandum by the Chief Executive Officer

To Council:

The Local Pedestrian, Cycling and Traffic Calming Committee is a statutory committee, established under the Roads Act 1993 and in accordance with administrative procedures required by Transport for NSW (formerly Roads and Maritime Services).

Councils have been delegated certain powers by Transport for NSW regarding the regulation of traffic on local roads. A condition of this delegation is that councils must take into account the advice of their Local Pedestrian, Cycling and Traffic Calming Committee before exercising these powers.

The Local Pedestrian, Cycling and Traffic Calming Committee has no decision-making powers. It is primarily a technical review body which is required to advise Council and City staff on traffic-related matters. Council and City staff are therefore not bound or required to implement a proposal supported by the Local Pedestrian, Cycling and Traffic Calming Committee. Any proposal supported by the Local Pedestrian, Cycling and Traffic Calming Committee must be approved by either the elected Council or authorised City staff (depending on the nature of the proposal) if it is to be implemented. This can only be done when the advice of the Committee is unanimous. Where the advice of the Committee is not unanimous, Council must separately notify and obtain the endorsement of Transport for NSW and NSW Police.

The Local Pedestrian, Cycling and Traffic Calming Committee is made up of four formal (voting) members as follows:

- one representative of Council (Chairperson or alternate Chairperson);

- one representative of NSW Police;
- one representative of Transport for NSW;
- the local State Member of Parliament (MP) or their nominee;
- one representative of a relevant NSW Government agency (where applicable)*.

Representatives of NSW Police and State MPs can only vote on matters in their respective command or electorate.

*The NSW Government agencies are formal (voting) members for matters relating to roads over which they have jurisdiction only (for example, Property NSW / Place Management NSW / Infrastructure NSW). The City of Sydney Council is not a formal (voting) member for these matters.

The Chairperson and alternate Chairperson are to be determined by Council, and Council's representative may be any Councillor or City staff. Council (in consultation with the formal members of the Local Pedestrian, Cycling and Traffic Calming Committee) may also decide to have additional informal (non-voting) representatives who can provide non-binding input on matters under consideration. Informal (non-voting) members of the Local Pedestrian, Cycling and Traffic Calming Committee are as follows:

- Transit Systems representative;
- Transport Workers Union representative;
- cycling representative appointed by the Lord Mayor; and
- pedestrian representative appointed by the Lord Mayor.

City staff convene meetings and provide administrative support for the Committee, including the preparation of agendas, reports and minutes, and formally represent Council when both the Chairperson and the alternate Chairperson are absent.

The Local Pedestrian, Cycling and Traffic Calming Committee meets every third Thursday of the month, except in January, at 10.00am. Members of the public can attend and speak to an item on the Local Pedestrian, Cycling and Traffic Calming Committee agenda.

At the Council meeting of 9 September 2019, Councillor Philip Thalys and Councillor Linda Scott were appointed Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee respectively for a term office ending on the day appointed for the next ordinary election of Council.

Postponement of Local Government Elections

In March 2020, the Minister for Local Government announced that the September 2020 local government elections would be postponed to address the risks posed by the Covid-19 pandemic. The Local Government Act 1993 has been amended to confer on the Minister, a time-limited power to postpone council elections.

The official Order under the Local Government Act 1993 deferring the local government election from 12 September 2020 for twelve months was made on 12 June 2020. The NSW Government has announced that the local government elections will be held on 4 September 2021.

Accordingly, given the postponement of the local government election, it is appropriate that Council declare the offices of Chairperson and alternate Chairperson vacant to enable it to appoint a Chairperson and alternate Chairperson for a new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council, currently scheduled to be held in September 2021.

It is also recommended that the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee as set out in Attachment A to this Memorandum be endorsed and adopted. Minor amendments are proposed reflecting the organisational changes at State government level.

Recommendation

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council declare the offices of Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee vacant effective immediately;
- (D) Council appoint Councillor as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council; and
- (E) Council appoint Councillor as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

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Chief Executive Officer

Attachments

Attachment A. Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee

Moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;

- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council declare the offices of Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee vacant effective immediately;
- (D) Council appoint Councillor Thalís as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council; and
- (E) Council appoint Councillor Scott as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

Amendment. Moved by Councillor Chung, seconded by Councillor Phelps –

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council declare the offices of Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee vacant effective immediately;
- (D) Council appoint Councillor Phelps as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council; and
- (E) Council appoint Councillor Vithoulkas as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

The amendment was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Phelps and Vithoulkas

Noes (6) The Chair (the Lord Mayor), Councillors Kok, Miller, Scott, Scully and Thalís.

Amendment lost.

The motion was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Kok, Miller, Scott, Scully and Thalís

Noes (4) Councillors Chung, Forster, Phelps and Vithoulkas.

Motion carried.

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