



New South Wales

Transport Legislation Amendment Bill 2025

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to make miscellaneous amendments to legislation administered under the Transport portfolio.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Miscellaneous amendments to Transport Administration Act 1988 No 109

Schedule 1[2] makes an amendment to provide that the Secretary of the Department of Transport may assign in certain circumstances a senior executive of the Transport Service of New South Wales (*Transport Service*) to act in the role of a Transport Service senior executive in a band higher than the band in which the executive is employed. **Schedule 1[1]** makes a consequential amendment.

Schedule 1[3] makes an amendment to clarify that certain powers of entry relating to rail infrastructure facilities and land include passing over, on or through land adjacent to railway land. **Schedule 1[4]** amends the definition of *land adjacent to railway land*.

Schedule 2 Amendments about dissolution of Residual Holding Corporation

Schedule 2.1[32] provides for the dissolution of the Residual Transport Corporation and the abolition of the Residual Transport Corporation Fund. **Schedule 2.1** also makes consequential amendments.

Schedules 2.2–2.12 make amendments consequential on Schedule 2.1[32] to the following legislative instruments—

- (a) the *Criminal Procedure Regulation 2017*,
- (b) the *Local Government Act 1993*,
- (c) the *Pipelines Act 1967*,
- (d) the *Public Spaces (Unattended Property) Regulation 2022*,
- (e) the *Roads Act 1993*,
- (f) the *Rural Fires Act 1997*,
- (g) the *Transport Administration (General) Regulation 2018*,
- (h) the *Water Act 1912*,
- (i) the *Water Management (General) Regulation 2025*,
- (j) the *Water (Part 2—General) Regulation 1997*,
- (k) the *Water (Part 5—Bore Licences) Regulation 1995*.

Schedule 3 Amendments about dissolution of SRA Residual Holding Corporation

Schedule 3.1 provides for the date of dissolution of the State Rail Authority Residual Holding Corporation, also known as the SRA Residual Holding Corporation. It also makes consequential amendments.

Schedules 3.2 and 3.3 make consequential amendments to the *Government Sector Finance Regulation 2024* and the *Local Government Act 1993*.

Schedule 4 Amendments relating to Port Authority of New South Wales

Schedule 4.1[4] formally renames the Newcastle Port Corporation as the Port Authority of New South Wales. **Schedule 4.1[1]–[3]** make consequential amendments.

Schedules 4.2–4.9 make consequential amendments to the following legislative instruments—

- (a) the *Aware Super Act 1992*,
- (b) the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*,
- (c) the *Marine Pollution Act 2012*,
- (d) the *State Authorities Non-contributory Superannuation Act 1987*,
- (e) the *State Authorities Superannuation Act 1987*,
- (f) *State Environmental Planning Policy (Transport and Infrastructure) 2021*,
- (g) the *Superannuation Act 1916*.

Schedule 5 Miscellaneous amendments of other legislation

Schedule 5.1 Community Improvement Districts Act 2025 No 25

Schedule 5.1[1] clarifies that only one person from each business or commercial enterprise may vote in a CID proposal ballot. **Schedule 5.1[2]** provides that government land, if included in the operation of the *Community Improvement Districts Act 2025*, section 33, is designated as rateable land categorised as a business and is not exempt from rates charged under the *Local Government Act 1993*. **Schedule 5.1[3]** removes a redundant reference to Commonwealth land from a definition of *government land*.

Schedule 5.2 Marine Pollution Act 2012 No 5

Schedule 5.2 provides that the master and the owner of a prescribed ship are each guilty of an offence if the ship does not carry a garbage record book in circumstances where the ship is a recreational vessel with a gross tonnage of 100 or more that is not on an overseas voyage. Currently, the requirement only applies to a prescribed ship with a gross tonnage of 400 or more. This change gives effect to amendments made to MARPOL Annex V.

Schedule 5.3 Ports and Maritime Administration Act 1995 No 13

Schedule 5.3[1] amends the definition of *lines handling service* to exclude a vessel, or a vessel of a kind, identified by a harbour master for a port. **Schedule 5.3[2] and [3]** provide that the Port Authority may enter vessels, in addition to lands or premises, located at or adjacent to a pilotage port for certain purposes. **Schedule 5.3[4]–[6]** amend regulation-making powers contained in the *Ports and Maritime Administration Act 1995*, sections 46ZD and 110 and Schedule 4, respectively.

Schedule 5.4 Road Transport Act 2013 No 18

Schedule 5.4 removes a requirement for the Minister for Transport to obtain the concurrence of the Attorney General before recommending approval of the use of a device that measures the speed at which a vehicle is travelling.

Schedule 5.5 Roads Act 1993 No 33

Schedule 5.5[1] inserts proposed section 77A to provide that a roads authority must install, maintain and remove road work speed signs in accordance with the standard published by Transport for New South Wales in the Gazette. A roads authority must also ensure that a person acting on behalf of the roads authority, whether under a contract or another arrangement, must install, maintain and remove road work speed limit signs in accordance with the standard. **Schedule 5.5[2]** updates a cross-reference.