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Roads Act Review project team
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Submission to the Review of the *Roads Act 1993* – Options Paper (August 2025)

Business NSW welcomes the opportunity to comment on the Review of the *Roads Act 1993*.

Business NSW is NSW's peak business organisation with close to 50,000 member businesses. Business NSW works with businesses spanning across all industry sectors, the majority of them being small or medium-sized enterprises (SMEs). Operating throughout a network in metropolitan and regional NSW, Business NSW represents the needs of business at a local, state and federal level.

Roads are not only essential transport corridors but also enablers of economic growth, regional connectivity and business competitiveness. Business NSW strongly supports efforts to modernise the *Roads Act 1993* (the Act) to reflect contemporary economic, social and technological needs. A fit-for-purpose legislative framework must deliver certainty, efficiency and flexibility for both government and business stakeholders.

Overview of Business NSW's Position:

Business NSW supports a plan-led reform pathway identified as Model 2 in the Options Paper as the most effective framework for delivering a coordinated, efficient and future-ready road management system. We believe this model provides the strongest foundation for integrating road planning with land-use strategies, economic development and regional growth objectives.

At the same time, Business NSW recommends that selected features of Model 3 (Independent Regulator) be incorporated to strengthen transparency and accountability within the system. In particular, independent oversight of major road classifications, consistent reporting on performance and clearer lines of accountability would enhance community and business confidence in decision-making.

Overall, Business NSW seeks reforms that reduce administrative duplication, empower local councils and road managers, prioritise freight efficiency and create a framework that can adapt to emerging transport technologies and sustainability goals

1. Background and Context

The Roads Act 1993 has provided the legislative foundation for road management in New South Wales for more than 30 years. During that time, there have been profound shifts in technology, freight movements, population growth, and community expectations. These changes have exposed the limitations of the current framework and created an urgent need for legislative modernisation.

Businesses across NSW face several key challenges under the existing arrangements. Freight and logistics operators continue to experience inefficiencies caused by inconsistent road management processes and delays in approvals, which in turn raise costs for exporters and domestic supply chains. Regional disadvantage is also evident, as smaller councils struggle to meet complex compliance obligations without adequate resources, leading to uneven road standards across the state. The way roads are used has changed dramatically, with corridors now accommodating freight, private vehicles, public transport, active transport and emerging technologies such as electric-vehicle charging infrastructure and autonomous systems. Administrative delays particularly those relating to section 138 approvals have become a major source of frustration for businesses undermining confidence in the timely delivery of infrastructure and maintenance works.

These challenges highlight the need for a legislative framework that is modern, integrated and capable of supporting a dynamic, growing economy.

2. Business NSW's Preferred Model

Business NSW considers the Plan-Led Framework (Model 2) to be the most appropriate foundation for reforming the Roads Act 1993. This model would ensure that road decisions are strategically aligned with broader land-use planning and economic development priorities. By basing decisions on integrated network planning, the system would provide businesses with greater certainty, reduce the reliance on case-by-case approvals and allow for more efficient long-term investment in infrastructure.

A plan-led approach would also improve flexibility to accommodate emerging technologies such as electric vehicles, autonomous vehicles and micro-mobility solutions. It would help NSW prepare for a transport future in which roads must serve multiple functions from freight movement and public transport to active and low-emission mobility.

While Business NSW supports Model 2 as the preferred framework, we also see clear value in incorporating selected features from Model 3, the Independent

Regulator model. Independent oversight of key decisions such as road classification, closures and performance reporting would strengthen transparency and accountability. These features would complement a plan-led system by ensuring robust governance, public confidence and consistent performance monitoring.

3. Key Recommendations

Recommendation 1: Streamlining Approvals and Reducing Administrative Burden

Business NSW strongly supports reforms that simplify and consolidate road-related approval processes. In particular, the section 138 permit system should be restructured to reduce duplication and delay. The introduction of deemed-approval timeframes for routine works, such as driveway connections, freight access improvements, and utility installations, would provide greater certainty to businesses and contractors. The adoption of digital lodgement and tracking systems would further enhance transparency and allow applicants to monitor the progress of approvals in real time.

Recommendation 2: Empowering Local Councils and Road Managers

Local councils play a critical role in managing and maintaining much of the NSW road network. However, many councils—particularly in regional areas—face resourcing and capability constraints that limit their ability to meet compliance and asset-management requirements. Business NSW recommends that the NSW Government provide targeted funding, training, and guidance to help councils build capacity in strategic road planning and asset management. Greater consistency in standards, approvals, and enforcement across jurisdictions would reduce confusion for businesses operating across multiple local government areas. Smaller councils could also benefit from shared-services models that pool resources and expertise, improving efficiency and reducing duplication.

Recommendation 3: Prioritising Freight and Supply Chain Efficiency

Freight and logistics underpin much of NSW's economic productivity. Business NSW therefore recommends that freight efficiency and last-mile connectivity be explicitly embedded as legislative objectives within the new framework. State and regional road plans should identify and protect key freight corridors connecting industrial areas with ports, airports, intermodal terminals, and major highways. Alignment with the National Freight and Supply Chain Strategy would ensure consistency between state and federal priorities and reinforce NSW's position as a national logistics hub.

Recommendation 4: Supporting Multi-Use and Future-Oriented Road Networks

Modern roads must be designed and managed as multi-purpose public spaces that support a wide range of uses, from freight transport and private vehicles to cycling,

public transport, and emerging mobility modes. The reformed Roads Act should explicitly require that road design and management accommodate electric-vehicle charging, hydrogen refuelling, and other new technologies. A future-oriented approach will ensure that the NSW road network remains safe, efficient, and adaptable to the evolving transport landscape.

Recommendation 5: Enhancing Transparency and Accountability

Transparency in decision-making is essential to maintaining public confidence. Business NSW recommends that the NSW Government establish clear and accessible decision-making pathways for both businesses and communities. Annual public reporting on road-network performance, investment outcomes, and approval activity would provide valuable insight into system performance. The introduction of proportionate review mechanisms for decisions that materially affect business operations would ensure fairness and accountability while maintaining timeliness.

4. Regional NSW Considerations

Road connectivity is essential for regional economic development. Sectors such as agriculture, mining, tourism and manufacturing depend heavily on reliable and well-maintained road links to move goods, access services and attract investment. However, many regional councils lack the resources to meet their maintenance and compliance obligations under the current system.

Business NSW recommends that the reformed legislative framework provide targeted support for regional road managers to improve planning, delivery and resilience. Critical freight routes that connect regional production hubs with Sydney, Newcastle, Port Kembla and the future Western Sydney Airport should be prioritised in funding and planning processes. The legislation should also include provisions that enable rapid repair and reopening of roads following natural disasters, including floods and bushfires, by providing flexible powers and streamlined recovery processes.

Case studies from Business NSW members illustrate the importance of reform. Agricultural exporters in the Riverina have faced significant cost increases due to weight restrictions on deteriorating local roads. Tourism operators on the Mid-North Coast have reported reduced visitation when roadworks or approvals extend over several months. Manufacturers in Western Sydney continue to face bottlenecks and inconsistent road classifications that increase freight costs and limit efficiency. These examples demonstrate how uneven standards and administrative delays directly impact regional competitiveness and economic growth.

Conclusion

The Roads Act 1993 must evolve to meet the needs of a modern, dynamic, and technology-driven economy. Business NSW urges the NSW Government to adopt a Plan-Led Framework (Model 2) supplemented by targeted transparency and

accountability measures drawn from Model 3 to deliver a system that is efficient, fair, future-ready and transparent.

Reforms that streamline approvals will reduce costs and uncertainty for businesses. Strengthening local government capability will lift consistency and performance across the state. Prioritising freight and regional connectivity will enhance productivity, while greater transparency will improve trust and accountability in public administration.

Business NSW stands ready to work with the NSW Government to refine and implement these reforms, ensuring that the road network continues to underpin NSW's economic competitiveness and community wellbeing.

We welcome further engagement on this matter and are available for discussions at your convenience. Should you require additional information, please contact Leah Tucker, Senior Policy Manager, Energy and Infrastructure (leah.tucker@businessnsw.com).

Yours sincerely,

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