



New South Wales

# Roads Amendment (Transitways) Act 1999 No 29

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New South Wales

## **Roads Amendment (Transitways) Act 1999 No 29**

Act No 29, 1999

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An Act to amend the *Roads Act 1993* so as to enable certain roads to be classified as transitways and to make provision with respect to roads so classified; and for other purposes. [Assented to 7 July 1999]

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Roads Amendment (Transitways) Act 1999*.

**2 Commencement**

This Act commences on a day or days to be appointed by proclamation.

**3 Amendment of Roads Act 1993 No 33**

The *Roads Act 1993* is amended as set out in Schedule 1.

## Schedule 1 Amendments

(Section 3)

**[1] Section 46 Main roads**

Insert “, transitway” after “tollway” in section 46 (b).

**[2] Section 51 Tourist roads**

Insert “, transitway” after “tollway” in section 51 (b).

**[3] Section 52A**

Insert after section 52:

**52A Transitways**

- (1) The Minister may, by order published in the Gazette, declare to be a transitway:
  - (a) any public road, or
  - (b) any road that is owned by the RTA and that is designed to facilitate the movement of vehicular traffic, or
  - (c) any road proposed to be constructed on land owned, leased or controlled, or to be owned, leased or controlled, by the RTA.
- (2) A transitway is not a road or road related area within the meaning of the *Traffic Act 1909* for the purposes of any Act or law, or any provision of an Act or law, prescribed by the regulations for the purposes of this section.
- (3) The provisions of the *Traffic Act 1909* and any other Act prescribed by the regulations, and of any regulations under any such Act, apply to and in respect of:
  - (a) such part of a transitway as is not a road within the meaning of the *Traffic Act 1909* (but is developed for, or has as one of its main uses, the driving or riding of motor vehicles) in the same way as if it were such a road, and

(b) such part of a transitway as is not a road related area within the meaning of the *Traffic Act 1909* (but is an area that divides, or is a footpath or nature strip adjacent to, a part of a transitway referred to in paragraph (a)) in the same way as if it were such a road related area.

(4) The regulations may prescribe the classes of traffic that are permitted to enter or travel along, or are prohibited from entering or travelling along, a transitway or any part of a transitway.

**[4] Section 52A (as inserted by item [3])**

Omit "*Traffic Act 1909*" from section 52A (2).  
Insert instead "*Road Transport (General) Act 1999*".

**[5] Section 52A (as inserted by item [3])**

Omit "the *Traffic Act 1909*" where firstly occurring in section 52A (3).  
Insert instead "any Act forming part of the road transport legislation within the meaning of the *Road Transport (General) Act 1999*".

**[6] Section 52A (as inserted by item [3])**

Omit "*Traffic Act 1909*" where secondly and thirdly occurring in section 52A (3).  
Insert instead "road transport legislation".

**[7] Section 55 Separate classifications etc of different lengths, lanes and levels of roads**

Insert "or width" after "length" wherever occurring in section 55 (1) and (3).

**[8] Section 55 (2)**

Insert "and widths" after "lengths".

**[9] Part 5, Division 4, heading**

Insert ", transitway" after "freeway".

**[10] Sections 67, 68 and 70**

Insert “, transitway” or “, transitways” after “freeway” or “freeways”, respectively, wherever occurring.

**[11] Section 73 RTA may carry out road work on local access roads etc**

Insert “, transitway” after “freeway” wherever occurring.

**[12] Section 76 Roads authorities to notify RTA of proposal to carry out major road work**

Omit “or tollway” from section 76 (2).  
Insert instead “, tollway or transitway”.

**[13] Section 87 Traffic control facilities**

Omit “all public roads and” from section 87 (1).  
Insert instead “all public roads, on all parts of transitways that are not public roads and on all”.

**[14] Section 87 (3)**

Insert “on any part of a transitway that is not a public road” after “unclassified road,”.

**[15] Section 264 Regulations**

Insert “, transitway” after “tollway” in section 264 (1) (c).

**[16] Schedule 2 Savings, transitional and other provisions**

Insert at the end of clause 1 (1):

*Roads Amendment (Transitways) Act 1999.*

**[17] Dictionary**

Insert after paragraph (g) of the definition of *classified road*:

(g1) a transitway,

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Schedule 1 Amendments

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**[18] Dictionary**

Insert “, transitway station” after “rest area” in the definition of *road work*.

**[19] Dictionary**

Insert in alphabetical order:

*transitway* means a road that is declared to be a transitway by an order in force under section 52A.

[Minister's second reading speech made in—  
Legislative Assembly on 24 June 1999  
Legislative Council on 1 July 1999]

BY AUTHORITY

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