



New South Wales

# Transport Administration Amendment Bill 2024

## Explanatory note

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

## Overview of Bill

The object of this Bill is to amend the *Transport Administration Act 1988* (the *Principal Act*) as follows—

- (a) to enable Transport for NSW (*TfNSW*) to promote active transport and improve the activation of public spaces,
- (b) to convert the Transport Asset Holding Entity of New South Wales (*TAHE*) into the Transport Asset Manager New South Wales (*TAM*) and provide for TAM's functions.

## 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      Amendment of Transport Administration Act 1988 No 109

### Schedule 1.1 Amendments relating to active transport and activation of public spaces

**Schedule 1.1[1]** inserts definitions to facilitate the object of the proposed Act, including definitions of *active transport* and *activation*.

**Schedule 1.1[2]** provides that the objectives of TfNSW include—

- (a) the promotion of active transport and its integration with other modes of transport, and
- (b) the improvement of the activation of public spaces.

**Schedule 1.1[3]** inserts proposed Part 2B into the Principal Act, Schedule 1 to provide for further functions of TfNSW in relation to active transport and public spaces. An **active transport and activation purpose** includes promoting active transport, promoting mode shifting to active transport from other modes of transport and improving the activation of public spaces. TfNSW may do the following for an active transport and activation purpose—

- (a) develop, conduct, implement and co-ordinate programs, projects, strategies and campaigns,
- (b) develop, implement and co-ordinate plans and proposals,
- (c) conduct and co-ordinate activities,
- (d) allocate resources,
- (e) develop and implement new technology,
- (f) evaluate matters set out in paragraphs (a)–(e).

Proposed Part 2B sets out circumstances in which TfNSW may provide advice, assistance and administer schemes for an active transport and activation purpose.

### **Schedule 1.2 Amendments relating to Transport Asset Manager**

**Schedule 1.2[10]** substitutes the Principal Act, Part 2.

Proposed Division 1 changes the corporate name of the Transport Asset Holding Entity of New South Wales to the Transport Asset Manager of New South Wales and makes it clear that the body is a NSW Government agency and, for all purposes including rules of private international law, continues in existence under its new name so that its identity is not affected. **Schedule 1.2[2], [11], [12], [20]–[24], [29]–[33] and [36]–[44]** make consequential amendments.

The proposed division also provides that the objectives of TAM are to—

- (a) undertake its activities in a safe and reliable way, and
- (b) be a successful business, including by operating at least as effectively as comparable businesses and maximising the net worth of the State's investment, and
- (c) exhibit a sense of social responsibility by having regard to the interests of the community, and
- (d) conduct its operations in compliance with principles of ecologically sustainable development, and
- (e) exhibit a sense of responsibility towards regional development and decentralisation in the way in which TAM operates, and
- (f) exercise its functions in a way consistent with other public transport agencies.

Proposed Division 2 provides for the various functions of TAM. With the approval of the Minister administering the Principal Act (the **Minister**), TAM may also—

- (a) dispose of vehicles, vessels, wharves, engines, carriages, plant, machinery or equipment vested in or owned by TAM, and
- (b) carry out functions outside of the State, and
- (c) carry out, finance, develop, manage or otherwise participate in the development for residential, retail, commercial, industrial, mixed use, community, public open space or recreational purposes on land vested in it, or to be vested or owned by it.

The proposed division provides that TAM may acquire land for the purposes of TAM, or acquire land to enable TAM to exercise its functions in relation to land.

Proposed Division 3 provides for the appointment of a Chief Executive of TAM by the Minister. The Chief Executive is to manage the affairs of TAM on the direction of the Minister. The proposed division establishes a TAM advisory board (the **Advisory Board**), consisting of the Transport Secretary and 3 to 7 board members appointed by the Minister who, in the Minister's

opinion, will assist TAM to achieve its objectives. The Advisory Board is to provide advice to TAM on the matters referred to it by TAM and to the Minister on matters referred to it by the Minister. The Chief Executive of TAM must not be appointed as a member of the Advisory Board, but may be invited by the Advisory Board to attend meetings. **Schedule 1.2[34] and [35]** make consequential amendments.

Proposed Division 4 provides that TAM must, at least 3 months before the beginning of each financial year, prepare and give to the Minister a draft corporate plan for the financial year, consider comments on the draft corporation plan made by the Minister within 2 months, and give the completed corporate plan to the Minister before the beginning of the financial year. The proposed division provides that TAM may delegate any of its functions to an authorised person. **Schedule 1.2[1] and [5]–[7]** make consequential amendments.

**Schedule 1.2[3] and [4]** makes it clear that TAM and the Chief Executive of TAM are subject to the control and direction of Minister.

**Schedule 1.2[8]** provides that TAM is authorised to disclose information held by it to TfNSW if the disclosure is for the purpose of assisting TfNSW to exercise its functions under the Principal Act. **Schedule 1[9]** makes a consequential amendment.

**Schedule 1.2[13], [14], [19], [25]–[28]** make it clear that a *transport authority* under the Principal Act includes TAM.

**Schedule 1.2[15]** provides that the Government of New South Wales may employ persons in the Transport Service to enable TAM to exercise its functions. **Schedule 1.2[16] and [17]** make consequential amendments.

**Schedule 1.2[18]** inserts proposed Part 8, Division 1 to establish a Special Deposits Account fund (the *TAM Fund*) and provides for money to be paid into or from the TAM Fund.

### **Schedule 1.3 Savings and transitional amendment**

**Schedule 1.3** contains a savings and transitional amendment.

## **Schedule 2 Consequential amendment of other legislation**

**Schedules 2.1–2.5** omit references to TAHE in various Acts, and insert instead references to TAM.

**Schedule 2.6** omits the reference to TAHE in the *State Owned Corporations Act 1989*, Schedule 5 to provide that TAM, as the successor of TAHE, is not a statutory State owned corporation.



New South Wales

# Transport Administration Amendment Bill 2024

## Contents

---

		Page
	1 Name of Act	2
	2 Commencement	2
<b>Schedule 1</b>	<b>Amendment of Transport Administration Act 1988 No 109</b>	<b>3</b>
<b>Schedule 2</b>	<b>Consequential amendment of other legislation</b>	<b>15</b>

*This PUBLIC BILL, originated in the LEGISLATIVE ASSEMBLY and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.*

*Legislative Assembly*

*Clerk of the Legislative Assembly*



New South Wales

## **Transport Administration Amendment Bill 2024**

No           , 2024

---

### **A Bill for**

An Act to amend the *Transport Administration Act 1988* to promote active transport and to improve the activation of public spaces; to convert the Transport Asset Holding Entity of New South Wales into the Transport Asset Manager New South Wales and provide for its functions, management and status; and for related purposes.

---

*The LEGISLATIVE COUNCIL has this day agreed to this Bill with/without amendment.*

*Legislative Council*

---

*Clerk of the Parliaments*

**Tabling copy**

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

1

**1 Name of Act**

2

This Act is the *Transport Administration Amendment Act 2024*.

3

**2 Commencement**

4

This Act commences as follows—

5

(a) for Schedule 1.1—on the date of assent to this Act,

6

(b) otherwise—on a day or days to be appointed by proclamation.

7

<b>Schedule 1</b>	<b>Amendment of Transport Administration Act 1988 No 109</b>	1
		2
<b>1.1</b>	<b>Amendments relating to active transport and activation of public spaces</b>	3
		4
<b>[1]</b>	<b>Section 3 Definitions</b>	5
	Insert in alphabetical order in section 3(1)—	6
	<i>activation</i> , of a public space, means the carrying out of works or activities to enhance the functionality of, or the conduct of human activity or operations within, the space, including works or activities to promote the following—	7
		8
		9
	(a) the quality, amenity, vibrancy, accessibility, built form, infrastructure and perceptions of safety of the space,	10
		11
	(b) the resilience of individuals, communities, institutions, businesses and systems in relation to the space,	12
		13
	(c) the use of technology, and the collection and use of data, in and about the space,	14
		15
	(d) events in and about the space.	16
	<i>active transport</i> means the movement of people, or people and goods, by the following—	17
		18
	(a) one or more modes of transport, powered or partially powered by human activity, including by the following modes—	19
		20
	(i) walking,	21
	(ii) running,	22
	(iii) cycling,	23
	(iv) scootering,	24
	(v) skating,	25
	(b) the use of a micromobility device.	26
	<b>Example—</b> an e-scooter	27
	<i>mode shift</i> , in relation to transport, means a change from the use of one mode of transport to another mode of transport.	28
		29
	<i>public space</i> means a space that is open to the public, or is used by the public, for no payment of money or other consideration.	30
		31
	<b>Note—</b> Public spaces may include public open spaces, public facilities and streets.	32
<b>[2]</b>	<b>Section 3D Objectives of TfNSW</b>	33
	Insert after section 3D(e)—	34
	(f) to promote active transport and its integration with other modes of transport,	35
		36
	(g) to improve the activation of public spaces.	37
<b>[3]</b>	<b>Schedule 1 Functions of Transport for NSW</b>	38
	Insert after Part 2A—	39
	<b>Part 2B Active transport and public spaces functions</b>	40
	<b>8L Definition</b>	41
	In this part—	42

<i>active transport and activation purpose</i> includes the following purposes—	1
(a) to promote active transport,	2
(b) to promote mode shifting to active transport from other modes of transport,	3 4
(c) to improve the activation of public spaces.	5
<b>8M Active transport and activation development, conduct, implementation, co-ordination and evaluation</b>	6 7
TfNSW may do the following for an active transport and activation purpose—	8
(a) develop, conduct, implement and coordinate programs, projects, strategies and campaigns,	9 10
(b) develop, implement and co-ordinate plans and proposals,	11
(c) conduct and coordinate activities,	12
(d) allocate resources,	13
(e) develop and implement new technology,	14
(f) evaluate the matters referred to in paragraphs (a)–(e).	15
<b>8N Advice and assistance to public and local authorities</b>	16
TfNSW may provide advice and assistance to public and local authorities for an active transport and activation purpose.	17 18
<b>8O Advice and assistance to Minister</b>	19
TfNSW may provide advice and assistance, and make recommendations, to the Minister in connection with an active transport and activation purpose.	20 21
<b>8P Grants schemes and partnerships</b>	22
TfNSW may, with the approval of the Minister, administer schemes for the making of grants, or enter into partnerships, for an active transport and activation purpose.	23 24 25
<b>1.2 Amendments relating to Transport Asset Manager</b>	26
<b>[1] Section 3 Definitions</b>	27
Omit section 3(1), definition of <i>rail infrastructure owner</i> , paragraph (a3).	28
Insert instead—	29
(a3) in the case of any rail infrastructure facilities owned by TAM or vested in TAM by or under this or another Act, TAM, or	30 31
<b>[2] Section 3(1)</b>	32
Omit the definitions of <i>board</i> , <i>listed functions</i> , <i>SOC Act</i> , <i>TAHE</i> and <i>voting shareholders</i> .	33
Insert in alphabetical order—	34
<i>TAM</i> means Transport Asset Manager of New South Wales constituted under Part 2.	35 36
<i>TAM advisory board</i> means the TAM advisory board established under Part 2.	37
<b>[3] Section 3B Ministerial responsibility and delegation</b>	38
Insert after section 3B(1)(a1)—	39
(b) TAM,	40



<b>[4] Section 3B(1B) and (1C)</b>	1
Insert after section 3B(1A)—	2
(1B) TAM is, in the exercise of its functions, subject to the control and direction of the Minister.	3 4
(1C) To avoid doubt, the Minister may direct TAM to do either or both of the following—	5 6
(a) cease exercising one or more of its functions,	7
(b) exercise its functions in a limited way.	8
<b>[5] Section 3I Delegation of TfNSW’s functions</b>	9
Insert after section 3I(3), definition of <i>authorised person</i> , paragraph (a1)—	10
(a2) TAM or a member of staff of TAM, or	11
<b>[6] Section 3J Acceptance of delegated functions by TfNSW</b>	12
Omit “or RTC” from section 3J(1).	13
Insert instead “, RTC or TAM”.	14
<b>[7] Section 3J(4) and (5)</b>	15
Insert after section 3J(3)—	16
(4) TAM is authorised to delegate a function of TAM to TfNSW.	17
(5) TAM may accept a delegation of the functions of TfNSW.	18
<b>[8] Section 3K Disclosure of information by agencies to TfNSW</b>	19
Insert after section 3K(1)—	20
(1A) TAM is authorised to disclose information held by it to TfNSW if the disclosure is for the purpose of assisting TfNSW to exercise its functions under this or another Act.	21 22 23
<b>[9] Section 3K(2)</b>	24
Insert “or TAM” after “agency concerned”.	25
<b>[10] Part 2</b>	26
Omit the part. Insert instead—	27
<b>Part 2 Transport Asset Manager</b>	28
<b>Division 1 Constitution and objectives of Transport Asset Manager</b>	29 30
<b>4 Establishment of Transport Asset Manager</b>	31
(1) The corporation constituted under section 4 immediately before its substitution by the <i>Transport Administration Amendment Act 2024</i> is continued by this section with the corporate name of Transport Asset Manager of New South Wales.	32 33 34 35
(2) On and from the substitution of this section—	36
(a) the corporate name of Transport Asset Holding Entity of New South Wales is changed to Transport Asset Manager of New South Wales, and	37 38

(b)	that body, for all purposes, including the rules of private international law, continues in existence under its new name so that its identity is not affected, and	1 2 3
(c)	TAM is a NSW Government agency.	4
	<b>Note—</b> The <i>Interpretation Act 1987</i> , section 53 deals with the alteration of a name or constitution of a statutory body.	5 6
<b>5</b>	<b>Objectives of TAM</b>	7
(1)	The principal objective of TAM is to undertake its activities in a safe and reliable way.	8 9
(2)	The other objectives of TAM are as follows—	10
(a)	to be a successful business and, to that end—	11
(i)	to operate at least as efficiently as comparable businesses, and	12
(ii)	to maximise the net worth of the State’s investment in TAM,	13
(b)	to exhibit a sense of social responsibility by having regard to the interests of the community in which TAM operates,	14 15
(c)	if TAM’s activities affect the environment—to conduct its operations in compliance with the principles of ecologically sustainable development set out in the <i>Protection of the Environment Administration Act 1991</i> , section 6(2),	16 17 18 19
(d)	to exhibit a sense of responsibility towards regional development and decentralisation in the way in which TAM operates.	20 21
(3)	The other objectives of TAM are of equal importance, but are not as important as the principal objective of the corporation.	22 23
<b>6</b>	<b>Common objectives and service delivery priorities</b>	24
(1)	TAM must also, in the exercise of its functions, have regard to the common objectives of public transport agencies set out in section 2B(1).	25 26
(2)	TAM must determine its service delivery priorities, having regard to the Minister’s expectations for service delivery established by a Statement of Expectations issued annually to it by the Minister.	27 28 29
<b>Division 2</b>	<b>Functions of Transport Asset Manager</b>	30
<b>7</b>	<b>Functions of TAM</b>	31
(1)	The functions of TAM are as follows—	32
(a)	to hold, manage, operate and maintain transport assets vested in or owned by it, or to be vested in or owned by it,	33 34
(b)	to establish, finance, acquire, construct and develop transport assets to be vested in or owned by it,	35 36
(c)	to promote and facilitate access to the part of the NSW rail network vested in or owned by TAM in accordance with a current NSW rail access undertaking or otherwise lease or make available transport assets vested in or owned by TAM to other persons or bodies,	37 38 39 40
(d)	to acquire and develop land to enable TAM to carry out its other functions, including the acquisition of land under sections 8 and 9,	41 42
(e)	to sell, lease or otherwise dispose of land vested in or owned by it,	43
(f)	to make and enter into contracts or arrangements with other persons to enable TAM to carry out its other functions,	44 45

(g)	to appoint agents, and act as agents for other persons,	1
(h)	to make and enter into contracts or arrangements with a public transport agency to enable TAM to exercise its functions in relation to assets vested in or owned by the public transport agency,	2 3 4
(i)	with the approval of the Minister, to dispose of vehicles, vessels, wharves, engines, carriages, plant, machinery or equipment vested in or owned by TAM.	5 6 7
(2)	TAM may—	8
(a)	provide facilities or services that are necessary, ancillary or incidental to its functions, and	9 10
(b)	conduct a business or activity, whether or not related to its functions under subsection (1), that it considers will further its objectives.	11 12
(3)	TAM also has the other functions that are conferred or imposed on it by or under another Act or law.	13 14
(4)	TAM cannot employ staff.	15
(5)	If TfNSW gives written notification to TAM of the way in which it exercises the TfNSW functions listed in Schedule 1, Parts 1 and 2, TAM must, in the exercise of its functions, have regard to the information in the notification.	16 17 18
(6)	The Minister may authorise TAM to carry out its functions outside of the State.	19 20
<b>8</b>	<b>Other property development functions of TAM</b>	21
(1)	TAM may, with the approval of the Minister, carry out, finance, develop, manage or otherwise participate in, including by entering into joint venture arrangements, development for residential, retail, commercial, industrial, mixed use, community, public open space or recreational purposes on land vested in it, or to be vested or owned by it.	22 23 24 25 26
(2)	TAM may, for the purposes referred to in subsection (1), acquire land by agreement, including an interest in land.	27 28
(3)	The imposition or conferral of a function on TAM by this section does not limit the imposition or conferral of a function by another provision of this Act.	29 30
<b>9</b>	<b>Acquisition of land by TAM</b>	31
(1)	TAM may, for any purposes of TAM, acquire land, including an interest in land, by agreement or by compulsory process in accordance with the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> .	32 33 34
(2)	The other purposes for which land may be acquired under subsection (1) include for the purposes of a future sale, lease or disposal that enables TAM to exercise its functions in relation to land under this Act.	35 36 37
(3)	For the <i>Public Works and Procurement Act 1912</i> —	38
(a)	an acquisition of land under subsection (1) is taken to be an authorised work, and	39 40
(b)	TAM is, in relation to the authorised work, taken to be the Constructing Authority.	41 42
(4)	TAM must not give a proposed acquisition notice under the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> without the approval of the Minister.	43 44

- (5) An acquisition is not void merely because it is expressed to be for the purposes of TAM or for the purposes of this Act. 1  
2
- (6) The *Public Works and Procurement Act 1912*, Part 3 does not apply in relation to works constructed for the purposes of this section. 3  
4

### **Division 3 Management of TAM** 5

#### **10 Chief Executive of TAM** 6

- (1) The Minister may appoint a Chief Executive of TAM. 7
- (2) Despite section 68C(3), the Minister may, subject to this Act or another Act or law, exercise on behalf of the Government the employer functions of the Government in relation to the Chief Executive. 8  
9  
10
- (3) Accordingly, a reference to the Transport Secretary in this Act or another Act or law in connection with the exercise of employer functions in relation to the Chief Executive is to be read as a reference to the Minister. 11  
12  
13
- (4) Part 7, Division 4 does not apply to the Chief Executive. 14  
**Note—** Schedule 2 contains ancillary provisions relating to the Chief Executive. 15

#### **11 Chief Executive to manage TAM** 16

- (1) The affairs of TAM must be managed and controlled by the Chief Executive of TAM in accordance with any directions of the Minister under section 3B. 17  
18
- (2) An act, matter or thing done in the name of, or on behalf of, TAM by the Chief Executive is taken to have been done by TAM. 19  
20

#### **12 TAM advisory board** 21

- (1) TAM is to have an advisory board. 22
- (2) The TAM advisory board must provide advice to— 23  
(a) TAM, on the matters referred to it by TAM, and 24  
(b) the Minister, on the matters referred to it by the Minister. 25
- (3) The TAM advisory board consists of the following— 26  
(a) at least 3, but not more than 7, board members appointed by the Minister, 27  
28  
(b) the Transport Secretary. 29
- (4) The board members must be persons who, in the Minister's opinion, will assist TAM to achieve its objectives. 30  
31
- (5) One of the board members is, in and by the member's instrument of appointment or in and by another instrument executed by the Minister, to be appointed as chairperson of the TAM advisory board. 32  
33  
34
- (6) The Chief Executive of TAM must not be appointed as a board member, but may be invited by the advisory board to attend meetings. 35  
36
- (7) The Minister may remove a board member, or the chairperson, from office at any time for any or no reason and without notice. 37  
38

<b>Division 4</b>	<b>General</b>	1
<b>13</b>	<b>Corporate plans</b>	2
(1)	TAM must, at least 3 months before the beginning of each financial year, prepare and give to the Minister a draft corporate plan for the financial year.	3 4
(2)	TAM must—	5
(a)	consider comments on the draft corporate plan that were made by the Minister within 2 months after the draft plan was given to the Minister, and	6 7 8
(b)	give the completed corporate plan to the Minister before the beginning of the financial year.	9 10
(3)	TAM must make a draft plan available for public comment for at least 30 days and must have regard to submissions it receives about the draft plan within that period.	11 12 13
(4)	The arrangements for obtaining or inspecting the draft plan and for making submissions must be publicly advertised.	14 15
(5)	TAM must make the completed corporate plan available for public inspection.	16
(6)	However, TAM is not required to include in a draft or completed plan made available for public comment or inspection commercially sensitive information or that it would otherwise not be required to disclose under the <i>Government Information (Public Access) Act 2009</i> .	17 18 19 20
(5)	TAM must, as far as practicable, exercise its functions in accordance with the relevant corporate plan.	21 22
(6)	A corporate plan must specify—	23
(a)	the separate activities of TAM and, in particular, the separate commercial and non-commercial activities, and	24 25
(b)	the objectives of each separate activity for the financial year and for future financial years, and	26 27
(c)	the strategies, policies and budgets for achieving the objectives in relation to each separate activity, and	28 29
(d)	the targets and criteria for assessing TAM's performance.	30
(7)	This section is subject to requirements made by or under this Act, including the requirements of a direction by the Minister under this Act.	31 32
<b>14</b>	<b>Delegation of functions of TAM</b>	33
(1)	TAM may delegate to an authorised person any of its functions, other than this power of delegation.	34 35
(2)	A delegate may sub-delegate to an authorised person a function delegated by TAM if the delegate is authorised in writing to do so by TAM.	36 37
(3)	In this section—	38
	<b>authorised person</b> means—	39
(a)	a member of staff of TAM, or	40
(b)	a person of a class prescribed by the regulations or approved by the Minister.	41 42

<b>15 TAM to supply information to Minister</b>	1
TAM must—	2
(a) give the Minister, or a person nominated by the Minister, the information relating to its activities that the Minister or person may require, and	3 4 5
(b) keep the Minister informed of the general conduct of its activities and significant developments in its activities.	6 7
<b>[11] Section 36C Other functions of Sydney Trains</b>	8
Omit “TAHE” from section 36C(2)(e). Insert instead “TAM”.	9
<b>[12] Section 37C Other functions of NSW Trains</b>	10
Omit “TAHE” from section 37C(2)(e). Insert instead “TAM”.	11
<b>[13] Section 55A Definition of “transport authority”</b>	12
Insert after section 55A(a)—	13
(b) TAM,	14
<b>[14] Section 65 Definitions</b>	15
Insert after the definition of <i>transport authority</i> , paragraph (a1)—	16
(b) TAM,	17
<b>[15] Section 68C Employment in the Transport Service</b>	18
Insert after section 68C(1)(b)—	19
(c) TAM,	20
<b>[16] Section 68Q Miscellaneous provisions relating to the Transport Service</b>	21
Insert “TAM,” after “the State Transit Authority,” wherever occurring in section 68Q(5) and (6).	22 23
<b>[17] Section 68Q(10)(c)</b>	24
Insert after section 68Q(10)(b)—	25
(c) TAM or a public subsidiary corporation of TAM is to be read as a reference to a person employed in the Transport Service to enable TAM, or the public subsidiary corporation, to exercise its functions, or	26 27 28
<b>[18] Part 8 Financial provisions</b>	29
Insert before Division 2—	30
<b>Division 1 Financial provisions relating to Transport Asset Manager</b>	31 32
<b>69 TAM Fund</b>	33
There is established in the Special Deposits Account a fund called the TAM Fund.	34 35
<b>70 Payments into TAM Fund</b>	36
The following must be paid into the TAM Fund—	37
(a) money received by or on account of TAM,	38

	(b) money advanced to TAM by the Treasurer,	1
	(c) money—	2
	(i) appropriated by Parliament for the purposes of TfNSW and allocated to TAM by TfNSW, or	3
	(ii) otherwise appropriated by Parliament for the purposes of TAM,	4
	(d) the proceeds of the investment of money in the Fund,	5
	(e) other money required by or under this Act or another Act to be paid into the Fund.	6
		7
		8
	<b>71 Payments from TAM Fund</b>	9
	The following must be paid from the TAM Fund—	10
	(a) payments made on account of TAM or otherwise required to meet expenditure incurred in relation to the functions of TAM,	11
		12
	(b) other payments required by or under this Act or another Act to be paid from the Fund.	13
		14
<b>[19]</b>	<b>Section 81A Definition</b>	15
	Insert before the definition of <i>Authority</i> , paragraph (a1)—	16
	(a) TAM,	17
<b>[20]</b>	<b>Section 88A Definitions</b>	18
	Omit “TAHE” from the definition of <i>rail authority</i> . Insert instead “TAM”.	19
<b>[21]</b>	<b>Section 88G Severance of rail infrastructure facilities and from leased or licensed land</b>	20
	Omit “TAHE” wherever occurring in section 88G(1) and (2). Insert instead “TAM”.	21
		22
<b>[22]</b>	<b>Section 89 Definitions</b>	23
	Omit “TAHE” from the definition of <i>rail authority</i> . Insert instead “TAM”.	24
<b>[23]</b>	<b>Section 89, definition of “State rail operator”</b>	25
	Omit “TAHE”. Insert instead “TAM”.	26
<b>[24]</b>	<b>Section 94 Transfers of assets, rights and liabilities</b>	27
	Omit “TAHE” wherever occurring in section 94(10). Insert instead “TAM”.	28
<b>[25]</b>	<b>Section 107 Definition of “transport authority”</b>	29
	Insert before section 107(1)(a2)—	30
	(a) TAM, or	31
<b>[26]</b>	<b>Section 109 Seals of Authorities</b>	32
	Insert before section 109(2), definition of <i>Authority</i> , paragraph (a1)—	33
	(a) TAM,	34
<b>[27]</b>	<b>Section 112 Personal liability of certain persons</b>	35
	Insert “TAM,” before “the State Transit Authority” in section 112(2), definition of <i>member of a transport authority</i> , paragraph (a).	36
		37

<b>[28]</b>	<b>Section 112(2), definition of “member of a transport authority”</b>	1
	Insert after paragraph (e)—	2
	(f) a member of the TAM advisory board.	3
<b>[29]</b>	<b>Section 115 Recovery of charges etc by transport authority</b>	4
	Omit “TAHE” from section 115(2). Insert instead “TAM”.	5
<b>[30]</b>	<b>Section 116 Liability of vehicle owner for parking offences on Authority’s land</b>	6
	Omit “TAHE” from section 116(7), definition of <i>parking offence</i> .	7
	Insert instead “TAM”.	8
<b>[31]</b>	<b>Schedule 1 Functions of Transport for NSW</b>	9
	Omit “TAHE” wherever occurring in clause 1(i). Insert instead “TAM”.	10
<b>[32]</b>	<b>Schedule 1, clause 4A(4)</b>	11
	Omit “TAHE” from the definition of <i>transport authority</i> , paragraph (a).	12
	Insert instead “TAM”.	13
<b>[33]</b>	<b>Schedule 1, clause 5(7)</b>	14
	Omit “TAHE”. Insert instead “TAM”.	15
<b>[34]</b>	<b>Schedule 2 Provisions relating to Chief Executives</b>	16
	Insert before clause 1, definition of <i>Chief Executive</i> , paragraph (c)—	17
	(a) TAM,	18
<b>[35]</b>	<b>Schedule 2, clause 3(5)</b>	19
	Omit the subclause. Insert instead—	20
	(5) In this clause, a reference to the Transport Secretary is, if the reference is used in relation to—	21
	(a) the Chief Executive of Sydney Metro—taken to be a reference to the Sydney Metro Board, or	23
	(b) the Chief Executive of TAM—taken to be a reference to the Minister.	24
<b>[36]</b>	<b>Schedule 4 Transfer of assets, rights and liabilities</b>	26
	Insert “or TAM” after “public transport agency” in clause 13(3).	27
<b>[37]</b>	<b>Schedule 4, clause 13(5)</b>	28
	Omit the subclause. Insert instead—	29
	(5) To avoid doubt, this clause extends to a transfer to or from TAM.	30
<b>[38]</b>	<b>Schedule 4, clause 14(1)(a) and (b)</b>	31
	Omit “TAHE” wherever occurring. Insert instead “TAM”.	32
<b>[39]</b>	<b>Schedule 6A Powers relating to rail infrastructure facilities and land</b>	33
	Omit “TAHE” from clause 1, definition of <i>rail authority</i> , paragraph (a).	34
	Insert instead “TAM”.	35



<b>[40] Schedule 6A, clause 1B(2)</b>	1
Omit “TAHE”. Insert instead “TAM”.	2
<b>[41] Schedule 6A, clause 2C(4)</b>	3
Omit “TAHE”. Insert instead “TAM”.	4
<b>[42] Schedule 6A, clause 13A(4A)</b>	5
Omit “TAHE”. Insert instead “TAM”.	6
<b>[43] Schedule 6A, clause 13A(9)</b>	7
Omit “TAHE”. Insert instead “TAM”.	8
<b>[44] Schedule 6B Special provisions for underground rail facilities</b>	9
Omit “TAHE” from clause 1(1), definition of <i>rail authority</i> .	10
Insert instead “TAM”.	11
<b>1.3 Savings and transitional amendment</b>	12
<b>Schedule 7 Savings, transitional and other provisions</b>	13
Insert after Part 33—	14
<b>Part 34 Provisions consequent on enactment of Transport Administration Amendment Act 2024</b>	15
	16
<b>238 Agreements entered into by Cities Revitalisation and Place and Smart Places teams</b>	17
	18
An agreement, in force on the commencement of this clause, entered into by one of the following teams within the Department of Transport for and on behalf of the Crown is taken to have instead been entered into by TfNSW—	19
	20
(a) the Cities Revitalisation and Place team,	21
	22
(b) the Smart Places team.	23
<b>239 Conversion of TAHE to TAM</b>	24
The regulations may deal with matters relating to the conversion of TAHE to TAM, including the transfer of staff to the Transport Service.	25
	26
<b>240 Chief executive officer and other directors of TAHE</b>	27
(1) The person holding office as the chief executive officer of TAHE immediately before the commencement of this clause ceases to hold that office.	28
	29
(2) A director of TAHE, other than the chief executive officer, ceases to hold office on the commencement of this clause.	30
	31
(3) No compensation or remuneration is payable to a person as a consequence of—	32
	33
(a) the person ceasing to hold an office by operation of this clause, or	34
	35
(b) the effect on a person’s existing contract of employment because of the operation of this clause.	36

<b>241</b>	<b>TAM's first corporate plan</b>	1
(1)	TAM must prepare its first corporate plan, in accordance with section 13, as inserted by the <i>Transport Administration Amendment Act 2024</i> , within the period approved by the Minister for the purposes of this clause.	2 3 4
(2)	The statement of corporate intent applicable to TAHE under the <i>State Owned Corporations Act 1989</i> immediately before the commencement of section 13 continues to apply to TAM until TAM complies with that section, subject to a direction of the Minister.	5 6 7 8
<b>242</b>	<b>Existing authorisations</b>	9
(1)	To avoid doubt, an authorisation granted to TAHE under an Act, other than this Act, or a statutory rule, and in force immediately before the commencement of this clause continues to be held by TAM on the same terms and conditions as TAHE held the authorisation immediately before the commencement.	10 11 12 13 14
(2)	In this clause— <i>authorisation</i> includes a licence, permit, approval or consent.	15 16

<b>Schedule 2</b>	<b>Consequential amendment of other legislation</b>	1
<b>2.1</b>	<b>Electricity Supply Act 1995 No 94</b>	2
	<b>Section 12A Meaning of “distribution system”</b>	3
	Omit “Transport Asset Holding Entity of New South Wales” from section 12A(1), definition of <i>distribution system</i> , paragraph (a)(ii).	4 5
	Insert instead “Transport Asset Manager of New South Wales”.	6
<b>2.2</b>	<b>Local Government Act 1993 No 30</b>	7
<b>[1]</b>	<b>Section 555 What land is exempt from all rates?</b>	8
	Omit “Transport Asset Holding Entity of New South Wales” from section 555(1)(g2). Insert instead “Transport Asset Manager of New South Wales”.	9 10
<b>[2]</b>	<b>Section 600 Rebates in respect of certain land vested in public bodies</b>	11
	Omit “Transport Asset Holding Entity of New South Wales” from section 600(9), definition of <i>public body</i> .	12 13
	Insert instead “Transport Asset Manager of New South Wales”.	14
<b>[3]</b>	<b>Section 742 Dispute resolution</b>	15
	Omit the matter relating to Transport Asset Holding Entity of New South Wales from section 742(7). Insert instead—	16 17 18
	<ul style="list-style-type: none"><li>• Transport Asset Manager of New South Wales</li></ul>	19
<b>2.3</b>	<b>Railway Construction (Maldon to Port Kembla) Act 1983 No 112</b>	20
	<b>Section 2 Interpretation</b>	21
	Omit “Transport Asset Holding Entity of New South Wales” from section 2(1), definition of <i>the Authority</i> . Insert instead “Transport Asset Manager of New South Wales”.	22 23 24
<b>2.4</b>	<b>Roads Act 1993 No 33</b>	25
<b>[1]</b>	<b>Section 211, heading</b>	26
	Omit “ <b>Transport Asset Holding Entity</b> ”. Insert instead “ <b>Transport Asset Manager</b> ”.	27
<b>[2]</b>	<b>Section 211</b>	28
	Omit “Transport Asset Holding Entity of New South Wales” wherever occurring. Insert instead “Transport Asset Manager of New South Wales”.	29 30
<b>2.5</b>	<b>Rural Fires Act 1997 No 65</b>	31
	<b>Section 100A Definitions</b>	32
	Omit “Transport Asset Holding Entity of New South Wales” from section 100A(1), definition of <i>managed land</i> , paragraph (c). Insert instead “Transport Asset Manager of New South Wales”.	33 34 35

<b>2.6 State Owned Corporations Act 1989 No 134</b>	1
<b>Schedule 5 Statutory SOCs</b>	2
Omit “Transport Asset Holding Entity of New South Wales”.	3