

Environmental Planning and Assessment (COVID-19 Development—Temporary Cycleways) Order 2020

I, the Hon. Rob Stokes, MP, the Minister for Planning and Public Spaces, make the following Order under section 10.17 of the *Environmental Planning and Assessment Act 1979*.

I am satisfied this Order is necessary to protect the health, safety and welfare of members of the public during the COVID-19 pandemic, as it will facilitate social distancing by reducing the demand on public transport through greater use of cycle transport. I have consulted with the Minister for Health and Medical Research in relation to the making of this Order.

1 Name of Order

This Order is the *Environmental Planning and Assessment (COVID-19 Development—Temporary Cycleways) Order 2020*.

2 Commencement

This Order commences on the day it is published in the Gazette and remains in force for the prescribed period.

3 Definitions

(1) In this Order—

the Act means the *Environmental Planning and Assessment Act 1979*.

prescribed period has the meaning that it has in section 10.17 of the Act.

Note. The Act and the *Interpretation Act 1987* contain definitions and other provisions that affect the interpretation and application of this Order.

(2) Notes included in this Order do not form part of this Order.

4 Relationship with orders under the *Public Health Act 2010*

To the extent that this Order is inconsistent with an order under Part 2 of the *Public Health Act 2010*, the order under that Part prevails.

5 Development authorised by this Order

The development specified for this Order may be carried out without the need for any approval under the Act if it complies with the conditions specified for the development.

6 Temporary cycleways

(1) Development for the purposes of a temporary cycleway (including the construction or installation of a temporary structure or work for that purpose) on an identified road is development specified for this order.

- (2) The temporary use of an identified road as a cycleway is development specified for this Order.
- (3) The conditions specified for the development are that the development—
 - (a) is carried out by or on behalf of a public authority, and
 - (b) must not remain in place for more than 2 months after the expiry of the prescribed period.

Note. Roads authorities (including councils and Transport for NSW) must carry out road works, traffic control works, traffic and road safety management in relation to temporary cycle or pedestrian ways in accordance with the *Roads Act 1993* and the *Road Transport Act 2013*.

- (4) In this clause—

identified road means the part of a road identified as “Temporary Cycleway” on the map attached to this Order.



The Hon. Rob Stokes, MP
Minister for Planning and Public Spaces

29th May, 2020.