



Government of South Australia

Department for Transport,
Energy and Infrastructure

Installation of Traffic Control Devices or Road Furniture in State Heritage Areas

Operational Instruction **20.13**





ROAD MANAGEMENT Operational Instructions

Installation of Traffic Control Devices or Road Furniture in State Heritage Areas - 20.13

AMENDMENT RECORD

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1. Scope

This Operational Instruction provides guidelines and procedures to Transport SA traffic practitioners, planners and contractors for the installation of traffic control devices or road furniture within **State Heritage Areas**.

It outlines the procedure for installation of road furniture in listed State Heritage Areas.

State Heritage Areas are only those heritage areas or places declared under the Heritage Act 1993 and listed on the State Heritage Register or established through Plan Amendment Reports. It does not apply to local heritage places or items that are not included on the State Heritage Register.

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For a complete guide to work affecting areas of cultural heritage refer to Transport SA's *Cultural Heritage Guidelines*.

2. Definitions

Under the *Heritage Act, 1993*, **State Heritage Area** means an area established as a [State Heritage Area](#) by a [Development Plan](#) or a place entered, either on a provisional or permanent basis, in the State Heritage Register”.

The **State Heritage Register** is a database maintained by Heritage SA (Department for Environment, and Heritage), which contains a record of all sites protected under the Act. Surveys have been carried out across the State, however, there remain sites and places that are yet to be assessed and which may qualify for inclusion in the register. The Heritage Unit of the Department of Administrative and Information Services is responsible for providing advice on the protection, preservation and use of the State's heritage assets held in Government ownership.

Road furniture includes devices placed or erected with the approval of a traffic authority having the necessary jurisdiction, to regulate, warn or guide road users. It also includes such devices as guard fence and light poles.

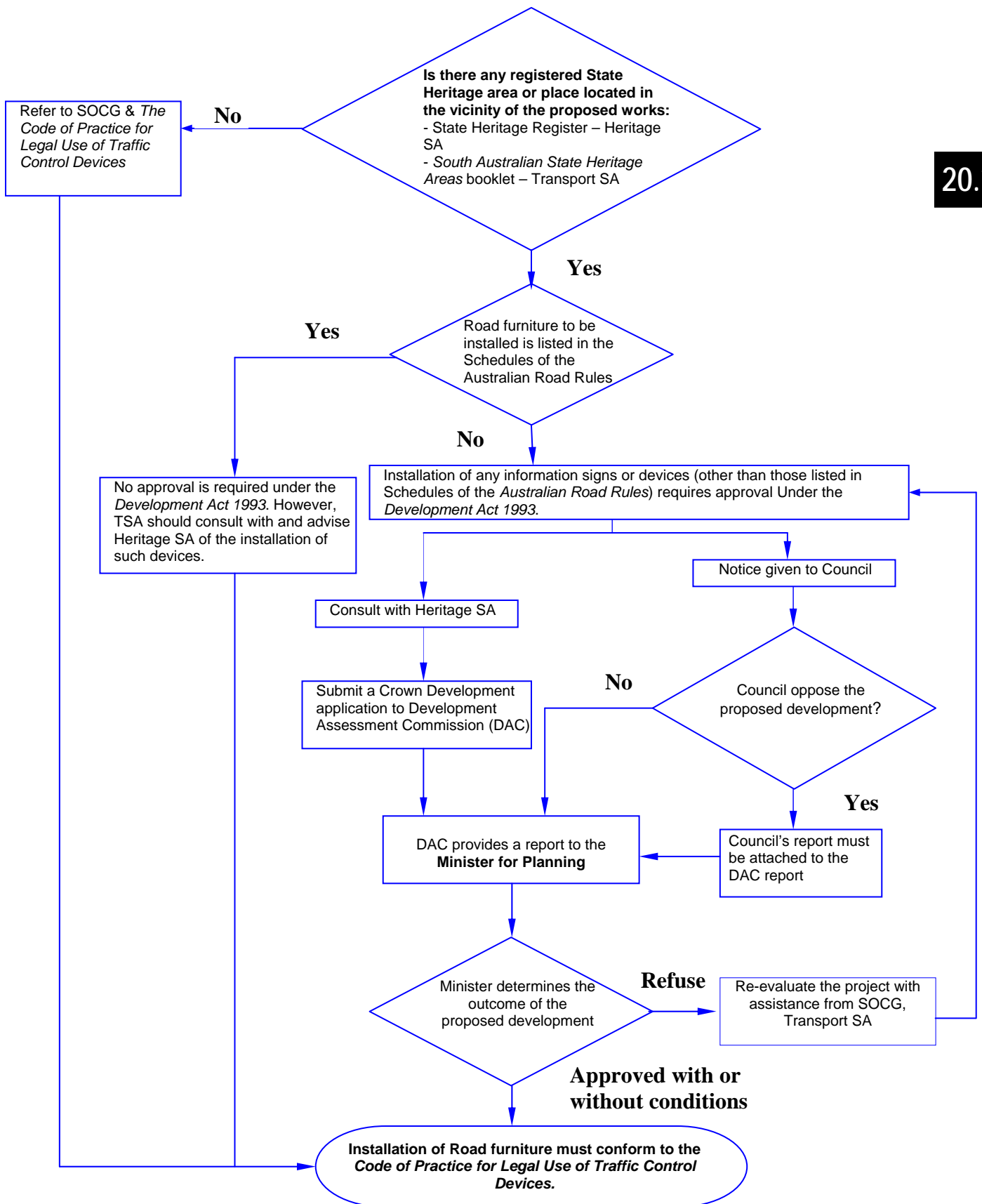
Traffic Control Device means a sign, signal, marking, structure or other device or thing, to direct or warn traffic on or entering or leaving a road, and includes: -

- a) a traffic cone, barrier, structure or other device or thing to wholly or partially close a road or part of a road; and
- b) a parking ticket-vending machine and parking meter.

(*Road Traffic Act 1961*)

Development Assessment Commission (DAC) means the Development Assessment Commission established under Development Act 1993.

Chart 1 Approval Process under Section 49 of the *Development Act 1993*



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3. Background

Protection of cultural heritage is a key objective in the Environmental Strategic Plan.

Transport SA has obligations under State and Federal legislation to protect State Heritage areas, as well as other historic places. Transport SA also has a particular responsibility in dealing with heritage issues according to legal constraints and community expectations.

3.1 Heritage Act 1993 (State)

The *Heritage Act 1993* protects heritage places and State Heritage areas and establishes a State Heritage Register. Heritage areas can be buildings, land, ruins and structures or sites (of historical or archaeological, geological or palaeontologic significance).

Under the *Heritage Act 1993*, a "stop order" preventing work threatening the heritage value of a place can be issued. The stop order permits the assessment of a place's significance, to determine whether it should be placed on, or removed from, the Register.

3.2 Development Act 1993

The Development Act 1993 deals with planning and development measures in the State and specifically deals with any proposal that will materially affect a heritage area or the context within which the area is situated. If development is proposed that will affect a registered State Heritage Area, it is necessary for an application to be lodged with the Development Assessment Commission, for a report and referral to the Minister for Transport, Urban Planning and the Arts. It is important to note that **no development can be complying** as define in the Devel Yes nt Act.

Locations with a concentration of items of historical importance to the State may be protected through creation of a State Heritage Area, under the Development Act. A State Heritage Area is an area of historical, geological, palaeontological or archaeological importance to the State. The creation of State Heritage Area serves to protect more than an individual building, but an area and its setting. Controls governing use of the area will also be specified in the Development Plan, and these will vary from area to area.

3.3 South Australian State Heritage Areas

South Australian State Heritage Areas are identified in the Development Plan and listed on the State Heritage Register. They are also documented in Transport SA's *South Australian State Heritage Areas* booklet. Further information about these areas can be obtained from the Department for Environment and Heritage.

4. When will Development Approval be required?

Under the *Development Act 1993* (State), “development” is defined in relation to a State heritage place to mean, “the demolition, removal, conversion, alteration or painting of, or addition to, the place, or any other work that could materially affect the heritage value of the place”. The heritage value of the State Heritage place may be materially affected if it is directly disturbed or if work is proposed in the vicinity of the place.

If proposed traffic control works will directly impact on the State heritage place in one of the ways listed above or will materially affect the heritage value of the place, they will require development approval.

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While reconstruction, repair or maintenance of any road, bridge, railway, wharf or jetty, undertaken by the Crown, are exempted from the need for approval under the *Development Act 1993*, any activities including transport works affecting State Heritage Places are not.

5. Transport SA Procedures

The procedure for installation of road furniture in State Heritage Areas listed on the State Heritage Register is outlined below.

It is important to note that all traffic control devices regardless of where located must be installed and approved in accordance with the *Code of Practice for Legal Use of Traffic Control Devices*.

Transport SA is able to install traffic control devices as listed in the Schedules 2 and 3 of the *Australian Road Rules* in State Heritage Areas without requiring approval under the *Development Act 1993*. However, the project manager or engineer should consult with and advise Heritage SA of the installation of such devices.

Any guide signs or other devices (other than those listed in the Schedules 2 and 3 of the *Australian Road Rules*) in State heritage areas require approval under the *Development Act*. Such devices include, but are not limited to, tourist signs, direction signs, guard fence installation, safety bar layouts.

6. The Development Assessment Process

The application will be assessed by Transport SA pursuant to Section 49 of the *Development Act*, the process for which can be summarised as follows:

1. Prepare the application by completion of the *Crown Development Application Form* (Appendix A)
2. Include supporting information including:
 - (a) a description of the nature of the proposed development; and
 - (b) details of the location, siting, layout and appearance of the proposed development.

In addition to lodging the development application with the Development Assessment Commission (DAC), if the proposed traffic control works are to be undertaken within the area of a Council, notice of the proposed development containing a description of the nature of the proposed development and details of the location, siting, layout and appearance of the proposed development must be given to the relevant Council within three business days after the application has been lodged with the DAC.

3. Lodge the application with the Development Assessment Commission (DAC), including contact details
4. Provide a copy of the application to the relevant Council in writing (Council has 2 months to respond to Development Assessment Commission)
5. Development Assessment Commission refers application to Minister for Heritage (Heritage SA) for comment (Minister has 2 months to respond)
6. Development Assessment Commission considers submissions, makes and provides a report to the Minister for Planning. The Minister approves or rejects the proposal and advises Transport SA.

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The process is also summarised in Chart 1 on page 2.

7. Further Information

For further information on State Heritage and Traffic Management issues refer to:

Statewide Operational Coordination Group

Environmental Operations Unit & Traffic Management Unit
Transport SA
33-36 Warwick Street, Walkerville 5081
Telephone: 8343 2686

Advice on heritage issues including the need for heritage surveys, for legislative requirements, access to databases and consultative requirements and approvals.

Heritage SA

Department for Environment and Heritage
Level 8, 91-97 Grenfell Street, Adelaide 5000
Telephone: 8204 9261

Development Assessment Commission

Planning SA
Level 6, Roma Mitchell House
136 North Terrace, Adelaide 5000
Telephone: 8303 0771

8. References

1. November 1999, *Australian Road Rules – Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999*.
2. December 1999, “*Code of Technical Requirements for the Legal use of Traffic Control Devices*”.
3. Department of Environment and Planning, September 1992, *Heritage Development Guideline 2.2 – Advertising and Signs on Heritage Building in South Australia*.
4. Environmental Operations Unit, July 1999, *Cultural Heritage Guidelines – A Handbook for Staff and Contractors*, Transport SA.
5. Environmental Operations Unit, 1999, *South Australian State Heritage Areas*, Transport SA.

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Appendix A Crown Development Application Form

PLEASE USE BLOCK LETTERS

Council _____
 Applicant _____
 Postal Address _____

OWNER _____
 Postal Address _____

BUILDER _____
 Postal Address _____
 Postcode _____ Licence No _____

CONTACT PERSON FOR FURTHER INFORMATION
 Name _____
 Tel [W] _____
 Fax [W] _____
 Tel [AH] _____
 Fax [AH] _____

EXISTING USE _____

DESCRIPTION OF PROPOSED DEVELOPMENT _____
LOCATION OF PROPOSED DEVELOPMENT _____
 House No _____ Lot No _____ Street _____ Town/Suburb _____
 Section No [full/part] _____ Hundred _____ Volume _____ Folio _____
 Section No [full/part] _____ Hundred _____ Volume _____ Folio _____

LAND DIVISION
 Site Area [m²] _____ Reserve Area [m²] _____ No of existing allotments _____
 Number of additional allotments [excluding road and reserve] _____ Lease: Yes No

BUILDING RULES CLASSIFICATION SOUGHT _____ Present classification _____
 If Class 5, 6, 7, 8 or 9 classification is sought, state the proposed number of employees: Male Female
 If Class 9a classification is sought, state the number of persons for whom accommodation is provided _____
 If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises _____

DOES EITHER SCHEDULE 21 OR 22 OF THE DEVELOPMENT REGULATIONS 1993 APPLY? YES NO
HAS THE CONSTRUCTION INDUSTRY TRAINING FUND ACT 1993 LEVY BEEN PAID? YES NO

DEVELOPMENT COST [do not include any fit-out costs] \$ _____

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations 1993.

SIGNATURE _____ Dated ____ / ____ / ____

FOR OFFICE USE

Development No _____
 Previous Development No _____
 Assessment No _____

Complying Application forwarded to DA
 Non Complying Commission/Council on
 Notification Cat 2 Date ____ / ____ / ____
 Notification Cat 3 Decision _____
 Referrals/Concurrences Type _____
 DA Commission Date ____ / ____ / ____

	Decision required	Fees	Receipt No	Date
Planning:				
Building:				
Land Division:				
Additional:				
Certificate: Development Approval				

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