



Government of South Australia

Department for Transport,
Energy and Infrastructure

Care, Control & Management of Roads (Highways) by the Commissioner of Highways (Section 26 of the Highways Act)

Operational Instruction **20.1**



ROAD MANAGEMENT Operational Instructions

Care, Control & Management of Roads by the Commissioner of Highways - 20.1

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1. Scope & Application

This document outlines the extent of activities that will be undertaken by the Commissioner of Highways (herein referred to as the Commissioner) when exercising powers or assuming responsibilities under Part 2 of Chapter 11 of the *Local Government Act 1999*, in pursuance of the conferral of those powers and responsibilities to the Commissioner by operation of Section 26 of the *Highways Act 1926*.

These activities relate to the Commissioner's role of ensuring:

- a) the safety of road users;
- b) the structural integrity of the road pavement; and
- c) the efficiency of the road transport system.

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This document is intended to serve two purposes, as follows:

- a) to inform both Transport SA personnel and Councils of the standard management and maintenance activities that Transport SA is required to undertake as an agent of the Commissioner on roads under the care, control and management of the Commissioner; and
- b) in conjunction with Section 26(7) notices issued to Councils for roads under the care, control and management of the Commissioner, to advise Councils of the powers that they may continue to exercise under Part 2 of Chapter 11 of the *Local Government Act 1999* on these roads.

Any variations to the standard activities described in this document for a particular road under the care, control and management of the Commissioner will be stated on the Section 26(7) notice for that road. Accordingly, this document should be read in conjunction with the Section 26(7) notice to Council for the road in question.

Part A of this document is structured to provide a description of the activities in a format consistent with Part 2 of Chapter 11 of the *Local Government Act 1999* and the definition of roadwork in that Act. For completeness, Part B of this document describes additional activities that the Commissioner will undertake under provisions of the *Highways Act 1926*. Furthermore, the authority for the Commissioner to undertake some activities described in this document, such as the installation of traffic control devices, is provided under the *Road Traffic Act 1961* rather than the Local Government or Highways Acts.

It should be noted that this document does not attempt to define the scope and meaning of the provisions of the *Local Government Act*.

This document has adopted the term "highway" throughout as meaning a road under the care, control and management of the Commissioner of Highways to be consistent with the definition of the term as used in the *Local Government Act 1999*.

The description of activities and responsibilities apply to the day-to-day care, control and management of a highway by the Commissioner. Where roadwork is required that would exceed the description of activities described in this document (ie. new construction or reconstruction), the Commissioner will notify Council as required under Section 26(2) of the *Highways Act* or amend the notice under Section 26(7) of the *Highways Act* as appropriate.

The Commissioner will not exercise any power of Council that is not addressed in this document.

2. Definitions

Unless stated otherwise, the meaning of terms used in this document shall be as defined in AS 1348-2002 Road and traffic engineering - Glossary of terms”.

Definitions for terms frequently used in this document are given below.

<i>carriageway:</i>	that portion of a road or bridge devoted particularly to the use of vehicles, that is between guide posts, kerbs, or barriers where these are provided, inclusive of shoulders and auxiliary lanes.
<i>catch drain</i>	a surface channel constructed along the high side of a road or embankment, outside the batter, to intercept surface water.
<i>diversion drain</i>	a drain leading water away from the given area.
<i>driveway</i>	a defined area used by vehicles travelling between a carriageway and a property adjacent or near to the road.
<i>formation:</i>	the surface of the finished earthworks, excluding cut or fill batters.
<i>guard fence (guardrail):</i>	a rail (fence) erected to restrain vehicles that are out of control - for the purposes of this document, includes W-beam, wire rope, concrete or other safety barrier system.
<i>highway centre-line:</i>	for the purposes of this document, the centre-line of the highway carriageway - where the highway is a dual carriageway, this shall be taken as the centre-line of the nearest carriageway.
<i>highway:</i>	as defined in the <i>Local Government Act 1999</i> , being: (a) ... a controlled-access road within the meaning of the <i>Highways Act 1926</i> ; or (b) a road vested in the name of the Commissioner of Highways or the Minister to whom the administration of the <i>Highways Act 1926</i> is committed; or (c) a road that is subject to a notice under section 26 of the <i>Highways Act 1926</i> .
<i>hinge point</i>	in the cross-section of a road, the point at which the batter, if extended, would intersect the verge.
<i>kerbing</i>	for the purposes of this document, a general term to cover kerb, kerb and channel and median kerb.
<i>pavement</i>	that portion of a carriageway placed above the subgrade for the support of, and to form a running surface for, vehicular traffic.
<i>road furniture</i>	a general term covering all signs and devices for the control, guidance and safety of traffic, and the convenience of road users.

- road:* as defined in the *Highways Act 1926*, being any street, road, thoroughfare, terrace, court, lane, alley, cul-de-sac, or place commonly used by the public, or to which the public are permitted to have access, and includes a part of a road; also
- as defined in the *Local Government Act 1999*, being a public or private street, road or thoroughfare to which public access is available on a continuous or substantially continuous basis to vehicles or pedestrians or both and includes –
- (a) a bridge, viaduct or subway; or
 - (b) an alley, laneway or walkway.
- roadside* that area between the reserve boundary and the nearest road shoulder.
- roadwork:* as defined in both the *Highways Act 1926* and the *Local Government Act 1999*, being:
- (a) the construction of a road; or
 - (b) the maintenance or repair of a road; or
 - (c) the alteration of a road; or
 - (d) the construction of drains and other structures for the drainage of water from a road; or
 - (e) the installation of fences, railings, barriers or gates; or
 - (f) the installation of traffic control devices, traffic islands or parking bays; or
 - (g) the improvement of a road including (for example):
 - (i) landscaping and beautification; or
 - (ii) installation of road lighting;
 - (h) the installation of amenities or equipment on or adjacent to a road for the use, enjoyment or protection of the public; or
 - (i) the installation of signs on or adjacent to a road for the use or benefit of the public; or
 - (j) any work in connection with a road.
- safety barrier* a physical barrier separating the work area and the travelled way, designed to resist penetration by an out-of-control vehicle and as far as practicable, to redirect colliding vehicles back into the travelled path.
- service road:* the part of a road that —
- (a) is separated from other parts of the road by a dividing strip that is not designed or developed, wholly or mainly, to separate vehicles travelling in opposite directions; and
 - (b) is —
 - (i) designed or developed to be used, wholly or mainly, by traffic servicing adjacent land; or
 - (ii) indicated to be a service road by information on or with a traffic control device on the road.
- shoulder* the portion of the carriageway beyond the traffic lanes and contiguous and flush with the surface of the pavement.
- side drain* a longitudinal surface drain located between the formation and the road boundary.
- side road:* for the purposes of this document, a road that is under the care, control and management of a Council or other authority and provides traffic access to a highway.

<i>table drain</i>	the side drain of a road adjacent to the shoulders, having its invert lower than the pavement base and being part of the formation.
<i>through lane:</i>	a lane provided for the use of vehicles proceeding straight ahead.
<i>traffic control device</i>	any sign, signal, pavement marking or other installation placed or erected by a public authority or official body, having the necessary jurisdiction, for the purpose of regulating, warning or guiding traffic.
<i>traffic lane</i>	a portion of the carriageway allotted for the use of a single line of vehicles.
<i>traffic median barrier:</i>	a device used on multilane roads to keep opposing traffic in prescribed carriageways - referred to as median in this document.
<i>travelled way:</i>	that portion of a carriageway ordinarily assigned to moving traffic, and exclusive of shoulders and parking lanes - for the purposes of this document, shall include a bicycle lane where adjacent to a traffic lane.
<i>verge</i>	that portion of the formation not covered by the carriageway or footpath.

PART A: Part 2 of Chapter 11 of the *Local Government Act, 1999*: Roads

3. Power to Carry Out Roadwork (Division 3 of Part 2 of Chapter 11 of the *Local Government Act 1999*)

The Commissioner has and will exercise all powers and responsibilities of Council to undertake roadwork on a highway to an extent that is required to undertake the activities described in the following Sections.

20.1

In relation to those areas of a highway for which the Commissioner has assumed maintenance responsibility as described in this document, the Commissioner may also carry out roadwork:

- a) by agreement, including the recovery of costs as per the agreement; and
- b) to repair damage to a road, including the recovery of costs from the person(s) responsible for the damage.

3.1 Maintenance of Pavement

3.1.1 Pavement - Kerbed Highways

On a kerbed highway the Commissioner will maintain the pavement to the lip of the kerb and channel, as shown in Figure 3.1.

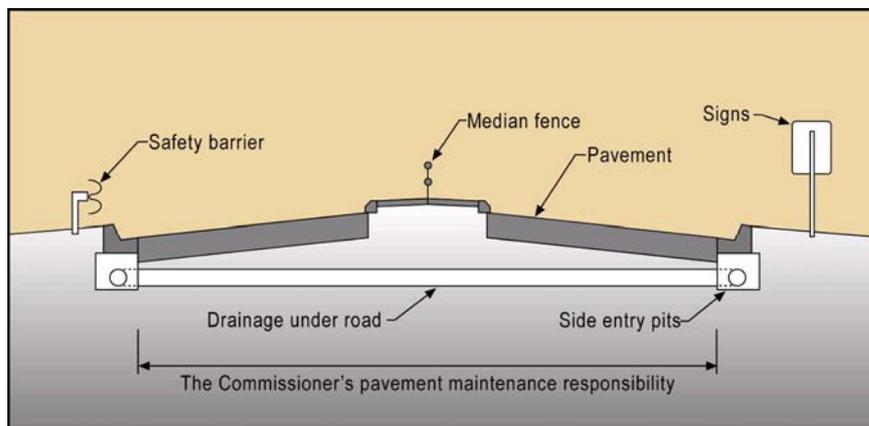


Figure 3.1: Typical kerbed divided highway (urban)

Where a service road exists alongside a highway, the Commissioner will maintain the pavement to the edge of the carriageway plus the pavement within the connecting crossovers from the highway to the midpoint of the crossover.

Where no service road is provided, the Commissioner will maintain the pavement as follows, unless agreed otherwise with Council and stated on the Section 26(7) notice:

- a) If the distance from the edge of the travelled way to the kerb is up to 5.0m, the Commissioner will maintain to the kerb.
- b) If the distance from the edge of the travelled way to the kerb exceeds 5.0m, the Commissioner will maintain only to a distance of 3.0m from the edge of the travelled way.

Notwithstanding the above, unless specifically agreed with Council, the Commissioner will not maintain areas that are dedicated to the parking of vehicles. These areas may be defined by pavement marking, signs or the installation of physical devices such as protuberances, bollards and trees.

3.1.2 Pavement - Unkerbed (Sealed and Unsealed) Highways

- Where that part of the highway used by through traffic is sealed and unkerbed (ie the typical rural arterial highway between towns and a few urban arterial highways), the Commissioner will maintain the pavement and shoulders to the hinge point between the outer edge of the shoulder and any batter or verge, as shown in Figure 3.2. Where the hinge point is not well defined, the Commissioner will maintain the pavement and shoulder (where a shoulder exists) to the edge of the shoulder or to a distance of 3.0m from the edge of the travelled way, whichever is the lesser.

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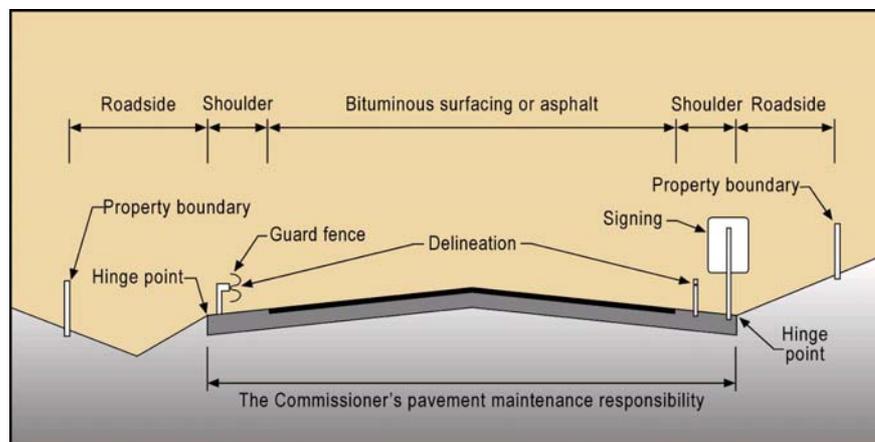


Figure 3.2: Typical unkerbed highway

In some rural locations, a large area of seal may be provided between the travelled way and the property line. This area may be used for parking of vehicles or for access by the general public to commercial properties such as service stations. In these situations, and where the highway is sealed and unkerbed with no service road, the Commissioner will maintain the sealed pavement as follows:

- a) If the distance from the edge of the travelled way to the edge of seal is up to 5.0m, the Commissioner will maintain to the edge of seal.
- b) If the distance from the edge of the travelled way to the edge of seal exceeds 5.0m, the Commissioner will maintain only to a distance of 3.0m from the edge of the travelled way.

For an unsealed highway the Commissioner will maintain between the edges of the formation.

3.1.3 Pavement - Sealed Side Road

Where kerbing exists on a side road, pavement maintenance undertaken by the Commissioner will terminate at:

- a) the property line; or
- b) any spoon drain running parallel to the highway; or

- c) where any change in pavement surfacing type occurs (such as Council installed brick paving or different seal treatment);
whichever is the lesser, as shown in Figure 3.3.

Where traffic signal detection loops are installed on a side road, the Commissioner will maintain the full width of the pavement extending to a point 1.0m beyond the detection loops, regardless of the termination point determined from the above.

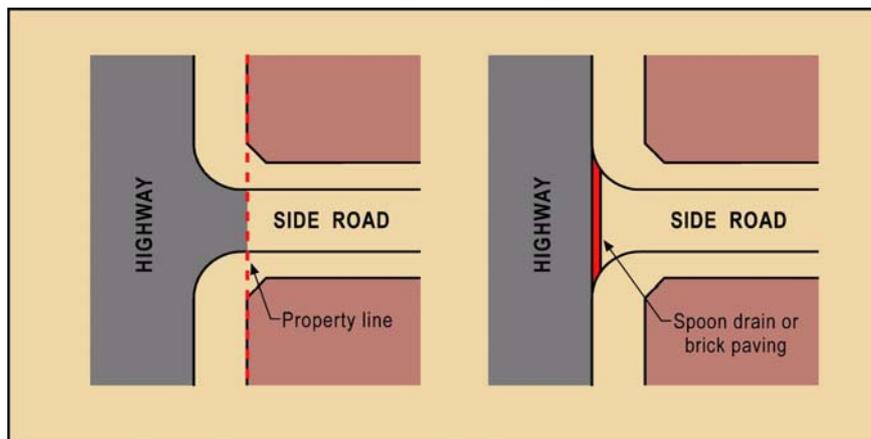


Figure 3.3: Pavement maintenance for kerbed side roads

Where kerbing does not exist on the side road, pavement maintenance carried out by the Commissioner will extend to:

- a) the property line; or
- b) 30m from the highway centre-line;

whichever is the lesser.

3.1.4 Pavement - Unsealed Side Road

Where a short sealed apron exists on an unsealed side road, the Commissioner will maintain the pavement to:

- a) the end of the seal on the side road; or
- b) the property line; or
- c) 30m from the highway centre-line;

whichever is the lesser.

Where a sealed apron does not exist on the side road, the Commissioner will not maintain the unsealed pavement other than to ensure a smooth transition from the side road to the highway.

Maintenance of the pavement of the side road will not include the repair of major structural defects that exist outside the edge of the highway shoulder. Defects that require rehabilitation work or extra-ordinary maintenance efforts will be brought to the attention of Council for corrective action.

3.1.5 Pavement - Railway Crossings

The Commissioner will maintain the pavement to within 1.0m of the outer rails at a railway crossing. Maintenance of the pavement at the crossing between these limits is the responsibility of the rail authority.

3.2 Maintenance of Kerbing

The Commissioner shall not be responsible for kerbing (including initial construction) where abutting properties generally have direct access to the highway and/or are permitted to drain run-off to the road gutter.

20.1

The Commissioner will only maintain kerbing on a highway in the following situations:

- on the highway side of the separating strip and to the mid-point of any connecting crossovers where a parallel service road is provided, as shown in Figure 3.4;

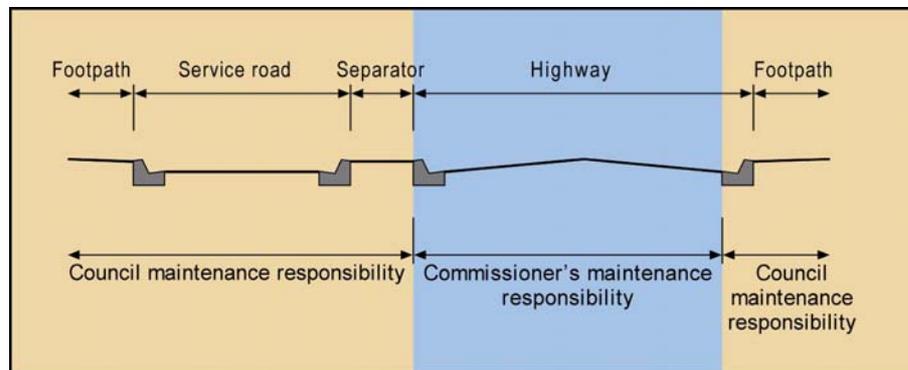


Figure 3.4: Pavement and kerbing responsibilities at service roads

- at locations where vehicle access to the highway from adjacent property cannot be provided due to vertical separation of the highway formation, eg on approach embankments to grade separated structures and on some high fills or deep cuttings;
- at rural junctions where the highway is predominantly unkerbed and the kerbing has been installed by the Commissioner to control vehicle encroachment onto the shoulder;
- on highway bridges, culverts, pedestrian under or overpasses; and
- as part of a median, traffic island or roundabout on a highway.

The Commissioner will only maintain kerbing on a side road in the above situations.

The Commissioner will maintain the kerbing associated with a median or traffic island on a side road where the median or traffic island is maintained by the Commissioner (refer Section 3.9.2 Traffic Control Devices - Side Roads).

3.3 Roadside Cut and Fill

The Commissioner will maintain any cut or fill batter, cut rock face or retaining structure which is essential for maintaining the structural integrity of the highway pavement or for minimising safety hazards to road users. This maintenance responsibility will only extend to the control and/or repair of the structural stability of the slope, rock face or structure.

3.4 Impact of Roadwork on Private Property

The Commissioner has and will exercise the responsibility of Council to:

- a) maintain adequate access conditions to private property, where access to the highway exists; and
- b) to protect private property;

as a result of any roadwork undertaken by the Commissioner that changes the level of the highway.

3.5 Stormwater Infrastructure

To the extent required to undertake the activities described in this section, the Commissioner has and will exercise the powers and responsibilities of Council in relation to draining water into adjoining property.

The Commissioner will not exercise Council's power to the extent of acquiring a license or easement. If a license or easement is required for drainage works, Council will be consulted.

The Commissioner will maintain stormwater infrastructure that was constructed as an essential part of the roadworks and that continues to function primarily to ensure structural integrity of the highway and/or to provide the standard of pavement drainage required for arterial highways.

The Commissioner shall maintain the following:

- gullies on kerbed highways except as mentioned below;
- connections from gullies to the main drain (cross pipes) – the junction box at the connection to the main drain shall be Council's responsibility;
- extensions to main drains where the extension is provided solely for the purpose of draining the highway;
- subsoil drains;
- waterways running across the highway (ie floodways);
- natural waterways for a distance of 10m from the extremity of the bridge or drainage structure or to the property line, whichever is the lesser;
- artificial waterways connecting to a bridge or drainage structure maintained by the Commissioner– maintenance will extend to their point of discharge, whether inside the road reserve or not;
- natural waterways running alongside a highway which either act as a table drain or would directly or indirectly affect the integrity of the highway formation if water flow is not controlled;
- catch drains and cut-off drains;
- table drains, gutters, channels and diversion drains except as mentioned below;
- side drains protecting the highway except as mentioned below;
- erosion control measures (eg sedimentation basins, energy dissipators) required for the protection of the highway pavement and control of run-off from a highway; and
- water quality treatment devices treating only run-off from the highway.

The Commissioner will maintain the watercourse upstream and downstream of a floodway across a highway from the outside edge of any structure or sealed shoulder apron installed to protect the pavement structure during flood for a distance of:

- a) 20m from the edge of the floodway; or
- b) to the property line;

whichever is the lesser.

Where a side road is kerbed, the Commissioner will maintain any gully installed on a side road within the portion of pavement maintained by the Commissioner that catches run-off from the highway.

20.1

The Commissioner shall not be responsible for:

- underground drains along or across a highway, including culverts, that form part of a main underground drainage system;
- gullies and their connecting branches to main drains where they capture only runoff from side roads;
- watercourses and side drains not covered above within the road reserve; and
- solving problems where the onset of scouring of a table drain or other maintenance problems are caused by nearby development for which the Council needs to develop a drainage system.

The Commissioner shall not be responsible for providing advice or direction to property owners regarding drainage requirements at private driveway treatments to ensure that adequate provision is made for roadside longitudinal drainage and water issuing from the driveway.

The Commissioner shall not be responsible for solving drainage problems arising from Council approving a land division or a building application without due regard to road drainage requirements.

The Commissioner shall not maintain stormwater infrastructure constructed under the State Government Stormwater Subsidy scheme where Council has accepted 100% maintenance responsibility, or artificial waterways constructed by Council.

3.6 Bridges & Drainage Structures

The Commissioner will maintain bridges and drainage structures on highways as follows :

- bridge structures, including footpath and kerb and channel where part of the bridge structure;
- culverts, including headwalls, wingwalls and aprons; and
- floodways and causeways.

Where a walkway has been attached to a structure, the Commissioner will not maintain the attachment unless specifically agreed with Council.

The Commissioner shall not maintain bridges and drainage structures constructed under the State Government Stormwater Subsidy scheme where Council has accepted 100% maintenance responsibility, or bridges and drainage structures constructed by Council on artificial waterways.

3.7 Structures Over Highways

The Commissioner will maintain the following components of any bridge providing public access over a highway:

- the structural components of the bridge - this does not include the wearing courses or pavement placed on the superstructure for the use of pedestrians or motor vehicles; and
- the stability of the approach embankments.

3.8 Fences and Barriers

The Commissioner will maintain on highways:

- guard fences and other safety barriers adjacent to a highway;
- guard fences adjacent to drainage structures to prevent vehicular access to a watercourse and/or walkway;
- guard fences on a bridge structure and approach embankments over a highway;
- pedestrian fences installed by the Commissioner on medians and footpaths (Council may also install pedestrian fencing on the footpath of kerbed highways);
- pedestrian fences on bridges and drainage structures to prevent pedestrian access to a watercourse, roadway or steep roadside batter that is part of the structure.
- any fence, barrier or gate installed by the Commissioner across any road or on the property line of a controlled access road in order to prevent access to and from that road;
- fences installed by the Commissioner on medians to manage dedicated vegetation re-growth areas; and
- stock grids, including associated road furniture.

Where the guard fence associated with a bridge structure over a highway is extended to protect against other hazards, the Commissioner will cease maintenance of the guard fence at:

- a) the end of the approach embankment; or
- b) the property line; or
- c) a point, determined by the Commissioner, that will ensure that the length of guard fence is adequate to achieve the required design performance at the bridge;

whichever is the greater.

3.9 Traffic Control Devices

3.9.1 Traffic Control Devices - Highways

Subject to the provisions of the *Road Traffic Act 1961* the Commissioner will install and maintain traffic control devices on highways for the purpose of directing, regulating, warning or guiding all road users, including the following:

- regulatory signs, except parking control signs;
- warning signs;
- traffic signals;
- pedestrian crossings;
-

- pavement marking (with the exception of lines for parking controls other than clearways);
- guide posts, hazard markers, retro-reflective raised pavement markers and other delineation devices;
- medians, traffic islands, roundabouts, pavement bars; and
- any other traffic control device as identified in the Road Traffic Act, Australian Road Rules or the Code of Technical Requirements for the Legal Use of Traffic Control Devices in South Australia.

The Commissioner will maintain central medians and roundabouts in a safe and clean situation. Councils may choose to upgrade and maintain medians and roundabouts to a higher standard subject to entering into a formal agreement with the Commissioner. Such agreements will be noted on the Section 26(7) notice.

3.9.2 Traffic Control Devices - Side Roads

The Commissioner will install and maintain signs on a side road that are required to regulate road users entering a highway.

The Commissioner will install and maintain any warning sign on a side road that is required to warn of a road feature or hazard (eg pedestrian crossing) on a highway where the hazard is within 100m of the junction or intersection. Similarly, the Commissioner will install and maintain warning signs on a highway that are required to warn of a hazard on a side road that is within 50m of the intersection or junction. This does not include signs warning of substandard alignment of the side road.

The Commissioner will maintain the following traffic control devices on a side road at a junction or intersection with a highway that have been installed by or with the written permission of the Commissioner:

- traffic islands and associated traffic signs;
- medians and associated traffic signs;
- pavement bars;
- pavement marking, including retro-reflective raised pavement markers; and
- traffic signal installations, including all associated infrastructure.

This maintenance responsibility will extend along the side road to:

- a) the extent of the traffic control treatment (as shown on the traffic control drawings);
- b) the property line where the device continues along the side road for the purpose of controlling traffic on the side road (ie a median on the side road); or
- c) a point mutually agreed to by the Commissioner and Council.

In the absence of any of the above traffic control devices, the Commissioner will install and maintain delineation on a side road, as appropriate, for the guidance of traffic entering a highway, for a distance of 30m from the highway centre-line.

3.9.3 School Zones

Where a School Zone on a highway extends up a side road, the Commissioner will maintain the school zone signs and the zigzag pavement markings on the side road where the school zone signs are located within 50m of the kerbline of the highway, as shown in Figure 3.5.

Maintenance of school zone signs and zigzag pavement markings greater than 50m from the kerbline of the highway shall remain Council's responsibility, as shown in Figure 3.6.

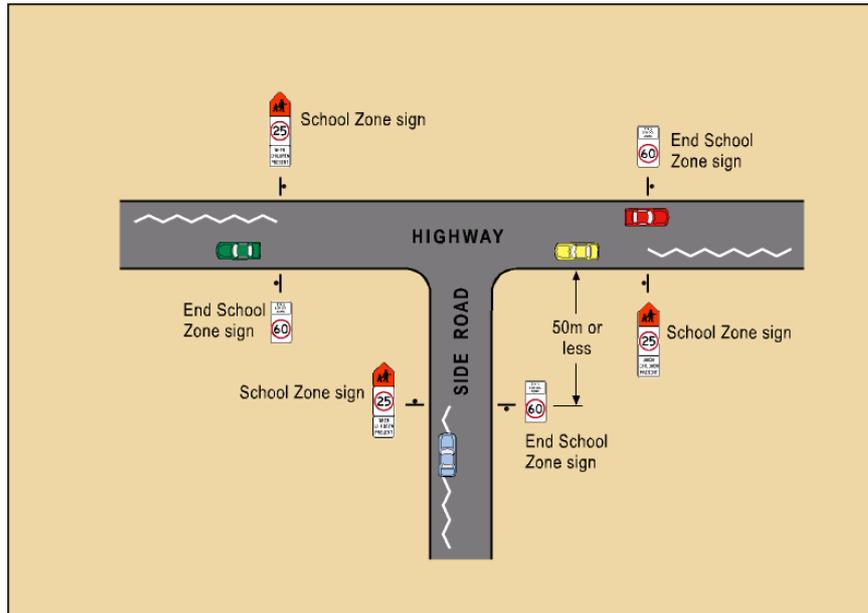


Figure 3.5: School Zone signs and pavement markings maintained by the Commissioner on side roads

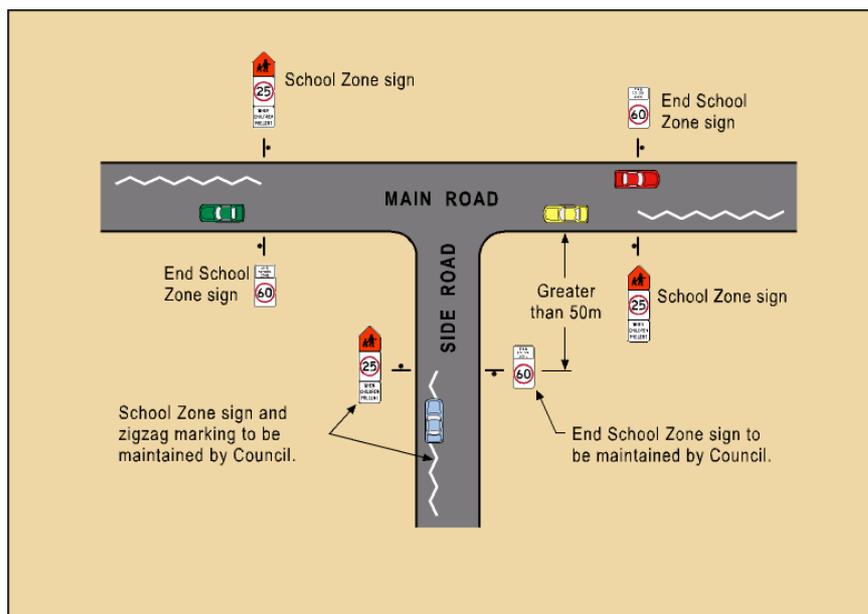


Figure 3.6: School Zone signs and pavement markings maintained by Council on side roads

3.9.4 Traffic Control Devices at Level Crossings

All approach warning signs and pavement markings on a highway, including the railway level crossing width marker assembly (refer AS 1742.7) but excluding the active or passive control assemblies for the crossing, will be maintained by the Commissioner.

For rail crossings on side roads, the Commissioner will install and maintain warning signs on the highway and the highway approach of the side road where the crossing is within:

- a) 100m of the centre-line of the highway for an actively controlled crossing (controlled by lights, boom gates etc); or
- b) 150m of the centre-line of the highway for a passively controlled crossing (signs only).

The Commissioner will not install and maintain the railway level crossing width marker assembly on a side road rail crossing.

Where a crossing on a side road warrants the minimum treatment in accordance with AS 1742.7 (ie "Give Way" control without additional advance warning signs), the Commissioner will not install and maintain warning signs on the highway unless the crossing is within 25m of the centre-line of the highway.

3.10 Roadside Facilities

The Commissioner will undertake the maintenance of the trafficable surface, immediate surrounds, signs, furniture and structures existing within, or in conjunction with:

- roadside rest areas, information bays, historic sites and lookouts provided by the Commissioner;
- stockpile sites used by the Commissioner; and
- weighslabs.

Where a highway is unkerbed, the Commissioner will maintain the roadside access across a highway shoulder to information bays, historic sites and lookouts provided by a Council in a safe and trafficable condition.

3.11 Landscaping and Beautification

The Commissioner may undertake re-vegetation planting or landscaping to improve the amenity of the roadside of highways with the agreement of Council. The Commissioner will maintain the planting or landscaping for a period of 12 months or as agreed with Council.

Council may undertake landscaping and beautification work on highways with the approval of the Commissioner. This approval will only be withheld on the basis of road safety or if major works are proposed in the foreseeable future.

3.12 Road Lighting

The Commissioner will install and maintain highway road lighting in discharge of a duty of care in relation to road safety.

Council is approved to install and maintain road lighting along a highway where it is installed for the benefit of pedestrians and adjacent property owners and will not adversely impact on the road lighting provided by the Commissioner for road safety.

Cost sharing of road lighting will be as follows:

- a) Where the Commissioner decides that there are no significant road safety reasons for lighting a highway, Council may install, maintain and operate the road lighting at its cost.
- b) Where the Commissioner installs road lighting on a highway where there is no significant amenity to local ratepayers, the Commissioner will not seek a contribution from Council.
- c) Where there is a mix of road safety and amenity reasons for lighting a highway, the Commissioner will light the highway and will seek from the Council one half of the operating cost only of the lighting pursuant to Section 26(11) of the *Highways Act 1926*.

The above cost sharing applies to poles, outreaches and luminaires in Transport SA's standard range. Where a Council wants lights that do not comply with lighting standard AS/NZS 1158 in respect of frangibility (eg some heritage style lights), the Commissioner will not meet any of the installation, maintenance and operating costs.

Where Council requests that Transport SA's standard poles be painted, the Commissioner will retain responsibility for the poles, but Council shall meet the additional cost of the painting and any subsequent additional maintenance costs.

If Council requests an alternative design (eg the use of lower poles to enhance footpath illumination), the additional cost of installation shall be borne by Council. The Commissioner will meet the maintenance and operating costs of the lighting provided the poles comply with AS/NZS 1158 in respect of frangibility.

3.13 Amenities or Equipment for the Use of the Public

The Commissioner will maintain only those public amenities and equipment installed by the Commissioner on or adjacent to a highway.

3.14 Direction and Information Signs

3.14.1 Signs for the Use and Benefit of the General Public

The Commissioner will not install or maintain any sign on a highway that is not installed for the use or benefit of the public as road users. The signs and devices that the Commissioner will install and maintain are described in the following sections.

Council may, with the approval of the Commissioner in each instance, install signs adjacent to a highway that are for the benefit or information of the public.

3.14.2 Direction and Information Signs on Highways

The Commissioner will install and maintain on highways all signs that provide guidance to road users, including the following:

- intersection, advance and reassurance direction signs;
- general guide signs; and
- information signs installed for the benefit and information of road users.

In addition, the Commissioner will maintain the following signs on highways that may occasionally be installed at cost to another organisation:

- service signs installed by or with the approval of the Commissioner that support tourism or road user services within a local area; and
- tourist direction signs where the installation is undertaken with the approval of Transport SA, the SA Tourism Commission and Council.

The Commissioner will not maintain the following signs or devices that may be installed on highways by Council or other organisations with the approval of the Commissioner and in accordance with any Transport SA guidelines or policies:

- new Council boundary signs or markers;
- small community service finger board signs installed by Council;
- street or road name finger board signs installed by Council (Commissioner's approval not required);
- roadside school bus stop marker posts;
- signs and pavement markings for parking control installed by Council (except for clearways); or
- markers placed on the roadside by other service authorities.

3.14.3 Direction and Information Signs on Side Roads

The Commissioner will install and maintain signs as per Section 3.14.2 that are required on a side road to inform or guide road users entering a highway.

4. Requiring Others to Carry Out Work (Division 4 of Part 2 of Chapter 11 of the *Local Government Act 1999*)

4.1 Services, Utilities & Other Infrastructure

The Commissioner has and will exercise all powers and responsibilities of Council to order owners of infrastructure to carry out specific maintenance and repairs to their infrastructure or to move their infrastructure where it is installed:

- a) wholly or partly on a highway within those areas of a highway for which the Commissioner has assumed maintenance responsibility as described in this document; or
- b) on or in a place interfering with a sign, structure or device installed or maintained by the Commissioner.

Any organisation placing a service on, under or across a highway, or on a bridge or other structure maintained by the Commissioner will be responsible for the ongoing maintenance of the service at a standard and in a manner acceptable to the Commissioner.

4.2 Private Property Access (excluding Controlled Access Roads)

Council is approved to undertake the management of private driveway access to a highway. The Commissioner, except where the highway is a controlled access road, will refer concerns with private roads and driveways (crossing places) to Council.

The approval of the Commissioner is required prior to the installation of new access crossings to a highway other than the installation of a single driveway from a residential property.

Where no kerb and channel exists on a highway, the Commissioner will maintain a sealed private road or driveway to the edge of the shoulder or 3.0m, whichever is the lesser, provided that adequate pavement for a sealed surfacing has been provided in this area. The Commissioner will not install or maintain a drainage structure, such as a culvert or pipe, beneath a driveway where the structure is required solely to provide vehicle access to the adjoining property.

4.3 Private Property Access to Controlled Access Roads

The Commissioner has and will exercise all powers and responsibilities of Council to require a property owner to carry out work or construct, remove or repair a crossing place.

Council is approved to exercise their power in regard to the repair of a crossing place and Council may also place conditions on the construction and removal of a crossing place with respect to the structure and form of the crossing place.

5. Control of Works on Roads (Division 6 of Part 2 of Chapter 11 of the *Local Government Act 1999*)

5.1 Roadwork by Others

The Commissioner has and will exercise the powers and responsibilities of Council to grant authority to a person or body to make alterations to a highway in relation to those areas and features of a highway for which the Commissioner has assumed maintenance responsibility as described in this document.

Authorisations to make alterations to traffic control devices installed on or alongside a roadway cannot be granted using this power. The power and authority to install, alter or remove traffic control devices is contained in the Road Traffic Act.

5.2 Using the Road for Business Purposes

The Commissioner has and will exercise the powers and responsibilities of Council to authorise a person or body, via a permit, to use a highway for business purposes within those areas of a highway for which the Commissioner has assumed maintenance responsibility as described in this document.

Council may, with the approval of the Commissioner in each instance, grant a permit to use other portions of a highway for business purposes.

6. Moveable Signs (Division 7 of Part 2 of Chapter 11 of the *Local Government Act 1999*)

6.1 Removal of Moveable Signs

The Commissioner has and will exercise the powers of the Council to remove unauthorised signs from highways. In terms of section 227(1)(c) and 227(2) of the *Local Government Act 1999*, the Commissioner will regard a moveable sign as

unreasonably restricting the use of the highway or endangering the safety of members of the public if the sign is placed on:

- a carriageway;
- the verges of an unkerbed highway;
- a median;
- a traffic island; or
- on or against any roadside sign or structure maintained by the Commissioner.

The Commissioner will remove or order the removal of any unauthorised moveable sign in the above areas..

20.1

The Commissioner will refer all concerns about moveable signs outside the above areas to the Council.

Councils are requested not to make by-laws permitting the erection of moveable signs on the above areas.

The Commissioner does not have the power to make by-laws concerning moveable signs, and Councils are approved to exercise the powers of section 227 of the *Local Government Act 1999* to remove unauthorised moveable signs wherever appearing.

The Commissioner also has the power, under section 31(2) of the Road Traffic Act 1961 to "... remove from the road and dispose of any false traffic control device or any device, structure or thing that [the Commissioner] is satisfied might constitute a hazard to traffic."

7. Miscellaneous (Division 11 of Part 2 of Chapter 11 of the *Local Government Act 1999*)

7.1 Damage to Highways

The Commissioner has and will exercise all powers and responsibilities of Council in relation to the recovery of damages to those areas and features of a highway for which the Commissioner has assumed maintenance responsibility as described in this document.

7.2 Litter Control

The Commissioner will undertake the removal of litter, including dead animals, as follows:

- on pavement and shoulder maintained by the Commissioner, as described in Section 3.1 Maintenance of Pavement;
- in kerb and channel maintained by the Commissioner, as described in Section 3.2 Maintenance of Kerbing;
- on medians, traffic islands, roundabouts maintained by the Commissioner;
- within any watercourse, drain, channel or erosion control measure maintained by the Commissioner, as described in Section 3.5 Stormwater Infrastructure; and
- on any structure maintained by the Commissioner, as described in Section 3.6 Bridges & Drainage Structures.

The above may be extended on occasion with regard to the removal of dead animals on rural highways in order to prevent scavenging or carrion-eating animals being attracted closer to the roadway.

Litter will be considered to be rubbish, debris, substances or other object that can be collected and removed safely without the use of special equipment. The Commissioner will not generally remove large objects, such as abandoned car bodies, heavy equipment or machinery, unless the object is creating an immediate danger to road users. In such cases, the Commissioner will endeavour to move the object to the roadside, clear of any traffic and Council will be advised of the need to remove the object.

20.1

The Commissioner will undertake all litter removal, including large objects from roadside rest areas, parking bays and other roadside facilities maintained by the Commissioner.

In addition the Commissioner will provide litterbins and regular servicing of these bins at these facilities.

7.3 Graffiti

The Commissioner will remove graffiti from a highway, side road, all structures, and all signs and devices maintained by the Commissioner where the graffiti is visible to road users of the highway.

8. Road Naming (Division 5 of Part 2 of Chapter 11 of the *Local Government Act 1999*)

The Commissioner will exercise all powers and responsibilities of Council in relation to the assigning of names to highways. This power will not be exercised without consultation with affected Councils, and should Councils wish to change the name of a highway under care control and management of the Commissioner, a request should be made in writing.

PART B: Other Provisions Relating to Highways

9. Vegetation Control, Section 26A of the Highways Act, 1926

Under Section 26A of the Highways Act, the Commissioner may remove or cut back any tree or other vegetation on or overhanging a highway. In exercising these powers the Commissioner will undertake vegetation control as outlined in the following and in accordance with Transport SA's Vegetation Removal Policy.

20.1

9.1 Seasonal Growth

The Commissioner will undertake the control of regular seasonal growth (weeds and grasses) along highways as follows:

On all highways:

- around road furniture maintained by the Commissioner such as signs, guard fences, median fencing and guide posts;
- adjacent to culverts and bridge abutments, including the watercourse;
- medians, traffic islands and roundabouts maintained by the Commissioner;
- within roadside rest areas, information bays, historic sites and lookouts provided and maintained by the Commissioner; and
- stockpile sites used by the Commissioner.

On kerbed highways:

- at the lip and joints of kerb and channel.

On unkerbed highways:

- to the outer edge of the shoulders;
- along the roadside where it is necessary to ensure sight distances are maintained; and
- along the roadside where it is necessary to ensure run-off can flow unrestricted from the roadway and along any table drains - control of growth will be restricted to the area between the shoulder and the side of the table drain furthest from the roadway.

9.2 Trees and Shrubs

The Commissioner will control the growth of woody vegetation such as trees and shrubs to provide a clear travel path for vehicles and provide adequate sight distance for road users as described below.

The vegetation clearances described below may be varied at specific locations depending on the highway characteristics. The clearance requirements may also be varied where Council has requested that trimming be restrained for aesthetic reasons and has agreed in writing to accept any consequential liability.

Any variation to the clearance requirements will be detailed in Transport SA's Regional Maintenance Environmental Management Plans and noted on the Section 26(7) notice.

To achieve the clearances described below, it may be necessary in practice to remove additional vegetation at the time of intervention in order to observe good horticultural practices.

Where requested in writing by Council and agreed to by the Commissioner, vegetation control will be undertaken in accordance with Council procedures. Alternatively, subject to the written approval of the Commissioner, Council may carry out the work itself.

The Commissioner will not remove a tree without consultation with Council unless an immediate hazard exists to road users, eg a tree is in danger of falling onto the roadway. In such cases, removal will be carried out as a priority and Council will be advised as soon as practicable.

20.1

The Commissioner is bound by the requirements of Section 49 of the Development Act dealing with Significant Trees and Heritage Trees; the Native Vegetation Act; the Aboriginal Heritage Act; and the Environmental Protection and Biodiversity Conservation Act (Commonwealth).

9.2.1 Standard Vegetation Clearance - Urban and Rural Highways

The Commissioner will maintain a vertical clearance of 5.0m to the kerbline or the edge of shoulder, as appropriate, as shown in Figure 9.1.

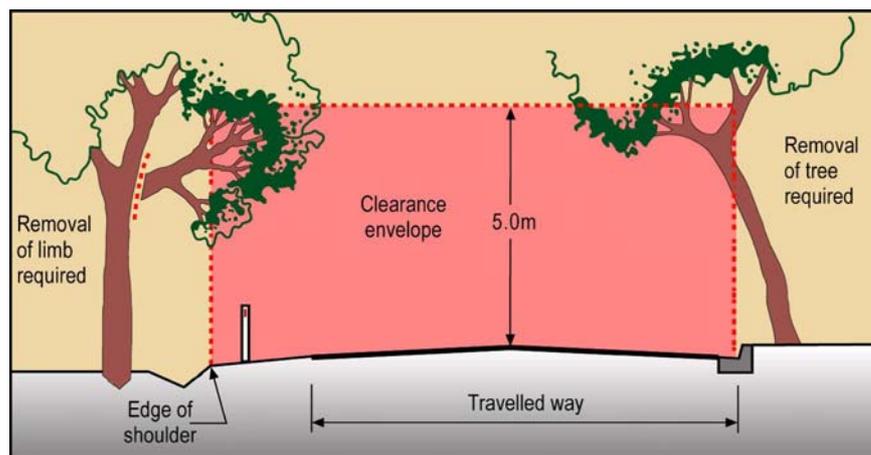


Figure 9.1: Standard vegetation clearance (kerbed and unkerbed)

9.2.2 Restricted Clearance – Mature Vegetation

At Council's request or where existing mature vegetation makes it impracticable to achieve the standard vegetation clearance, as is often the case in the Adelaide hills, the Commissioner will maintain a vertical clearance of 5.0m extending, as a minimum, the width of the travelled way or 7.0m in rural and non built-up areas, whichever is the greater, as shown in Figure 9.2.

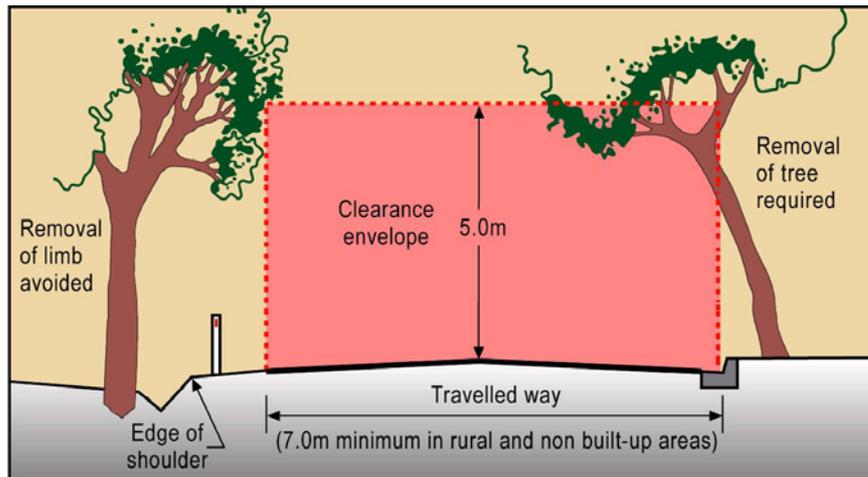


Figure 9.2: Restricted clearance – mature vegetation (kerbed or unkerbed)

9.2.3 Restricted Clearance - Highways with Dedicated Parking

Where dedicated parking lanes or areas are adjacent to the travelled way, the Commissioner will provide clearance to the edge of the travelled way only, as shown in Figure 9.3. The trimming of the trees over the parking lane or area shall be the responsibility of Council unless agreed otherwise in writing with the Commissioner.

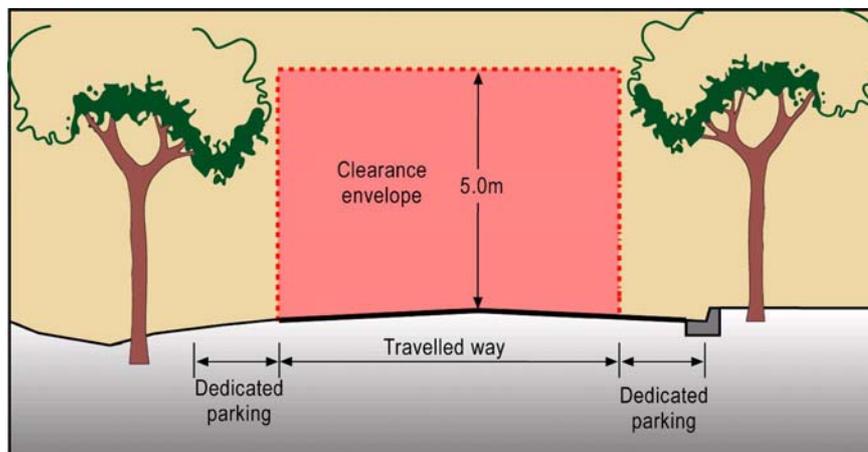


Figure 9.3: Restricted clearance - dedicated parking (minimum)

9.2.4 Medians

On highway medians, the Commissioner will control vegetation over the median for a distance of 1.0m from the edge of the travelled way or to the nearest tree trunk, whichever is the lesser, to provide a vertical clearance of 2.5m, as shown in Figure 9.4.

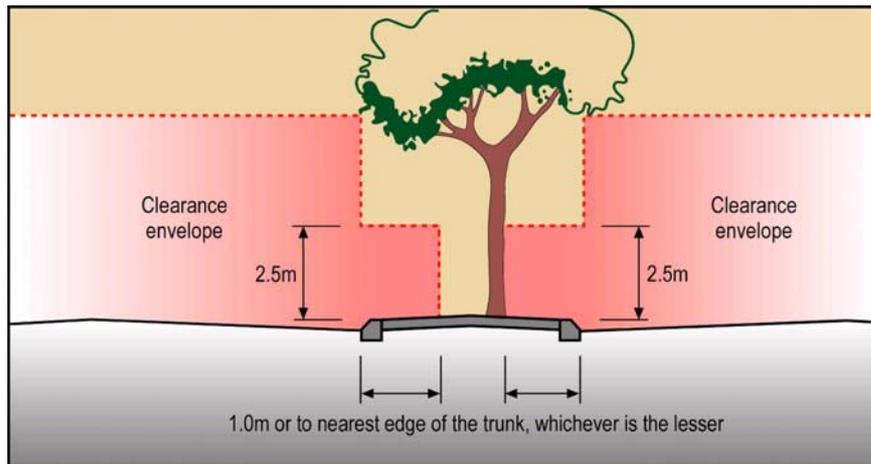


Figure 9.4: Clearance over medians

9.2.5 Roadside Furniture

The Commissioner will extend the control of vegetation where required to provide 500mm minimum clearance around roadside furniture, as shown in Figure 9.5.

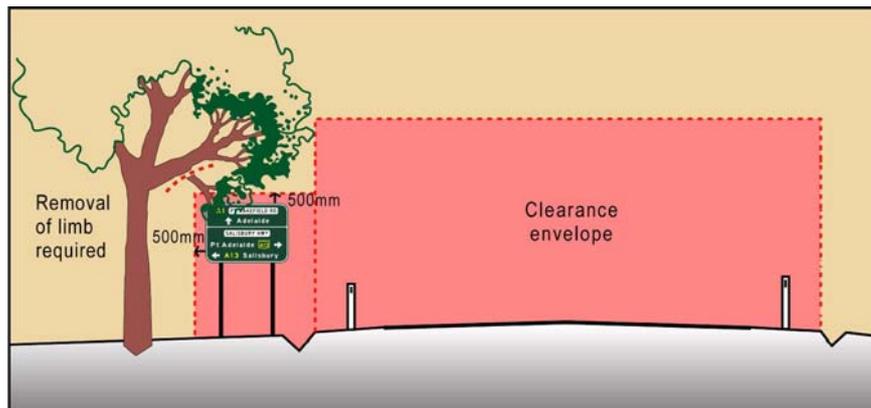


Figure 9.5: Clearance at roadside furniture

9.3 Sight Distance

9.3.1 Sight Distance to Signs and Delineation Devices

Clearance of seasonal growth and vegetation will be undertaken on the approach to signs and delineation devices as shown in Figure 9.6 to ensure that the sign or device is clearly visible to the driver. The sight distance provided will take into account the type of sign or device, the amount of information provided and the speed environment of the highway.

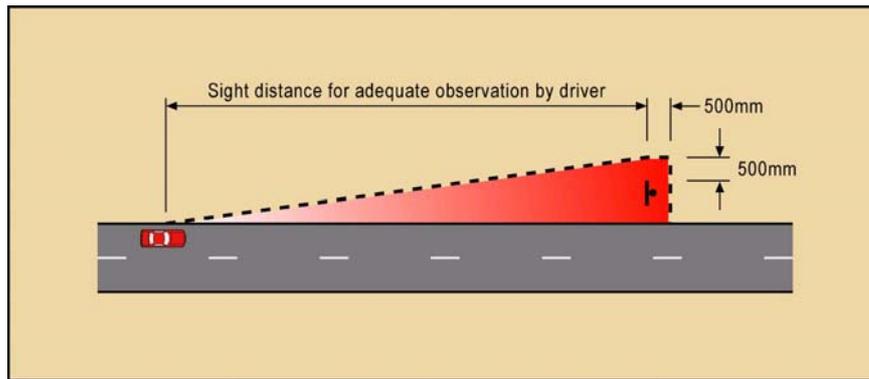


Figure 9.6: Clearance requirements for signs

9.3.2 Sight Distance at Junctions and Intersections

The Commissioner will control seasonal growth and vegetation on a highway roadside at junctions and intersections as shown in Figure 9.7 where such growth and vegetation is restricting Approach Site Distance (ASD) and Safe Intersection Sight Distance (SISD), as described in the Austroads Guide to Traffic Engineering Practice: Part 5 – Intersections at Grade.

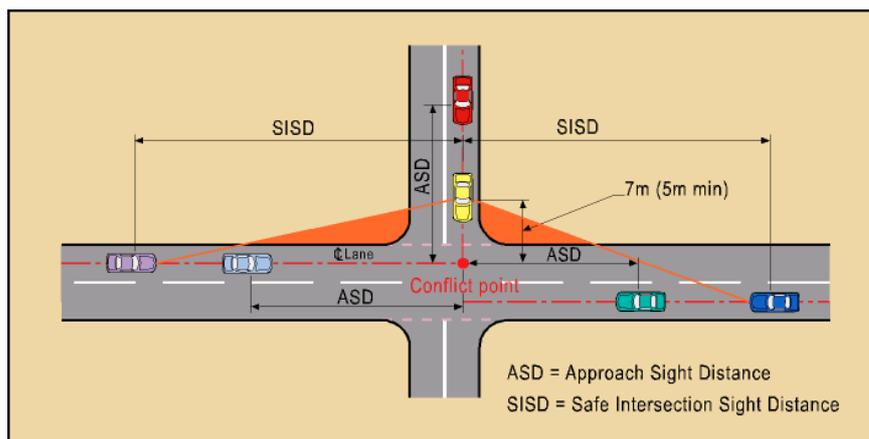


Figure 9.7: Clearance at junctions and intersections

9.3.3 Sight Distance at Railway Crossings

The Commissioner will control seasonal growth and vegetation on a highway roadside at railway crossings where such growth and vegetation is restricting the sight distance requirements given in Austroads Guide to the Geometric Design of Rural Roads.

9.3.4 Horizontal Sight Distance on Curves

The Commissioner will control seasonal growth and vegetation on a highway roadside across horizontal curves where such growth and vegetation is restricting the horizontal sight distances requirements given in Austroads Guide to the Geometric Design of Rural Roads.

9.4 Road Lighting

The Commissioner will control vegetation on a highway to ensure that the effectiveness of road lighting is not compromised by the growth of large trees.

9.5 Roadside Facilities

The Commissioner will control vegetation at weighslabs, roadside rest areas, and other facilities maintained by the Commissioner appropriate to the type of vehicle expected to use the facility.

9.6 Side Roads

On unkerbed side roads the Commissioner will undertake the control of regular seasonal growth along the roadside as per Section 9.1 for a distance of:

- a) 30m from the centre-line of the highway; or
 - b) to the property line;
- whichever is the lesser.

Vegetation control on all side roads will be undertaken as described in Section 9.2 within the above limits in order to maintain safe travel clearances for vehicles entering or leaving a highway.

The Commissioner may carry out additional seasonal growth clearance and vegetation control on side roads beyond the above limits to prevent signs installed and maintained by the Commissioner from being obscured and to maintain safe sight distances.

9.7 Proclaimed Plants

The Commissioner will control plants proclaimed under the Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986 within areas of a highway for which the Commissioner has assumed maintenance responsibility as described in this document. The control of proclaimed plants within the remainder of the road reserve is the responsibility of Animal and Plant Control Boards.

If proclaimed plants are detected in the road reserve outside of the areas for which the Commissioner has assumed maintenance responsibility, the matter will be referred to the local Animal and Plant Control Board.

The Commissioner will take necessary steps to prevent the spread of proclaimed plants as a result of maintenance or other activities undertaken on or along a highway.

10. Closing Highways, Section 26B of the Highways Act, 1926

Under Section 26B of the *Highways Act*, the Commissioner may close a highway to pedestrians or vehicles or vehicles of a particular class, if in the opinion of the Commissioner, the highway is:

- a) unsafe for pedestrians or vehicles or vehicles of a particular class; or
- b) likely to be damaged if used by vehicles or vehicles of a particular class.

The closure may be unconditional or restricted to a specific class of vehicle.

As required in the Highways Act, the Commissioner will advise Council in writing of the closure and install and maintain any traffic control devices that may be necessary to close the highway and provide warning for the safety of the public.