

NIGEL COATES*Engineering Officer, Traffic**City of Launceston*Nigel.Coates@launceston.tas.gov.au**Traffic Management in Tasmania**

At the end of 2014 the Tasmanian Department of State Growth decided it no longer (with a few exceptions) had to approve the introduction of traffic control devices on council roads. Responsibility for these devices was passed to councils and long established local traffic committees were dissolved. The legislation determining responsibility was far from clear and the State was able to adopt an interpretation that enabled the change to take place without legislative requirements. A number of councils challenged what was mainly regarded as a cost cutting exercise on behalf of the state and this paper will explore how this is now seen and how they are coping. The paper will determine if this transfer of responsibility resulted in councils struggling due to lack of expertise in this area or whether they saw it as an opportunity to have more control over the management of traffic on their roads. It will also explore the appropriate level of governance of traffic management and the balance between local road owner control and state wide and national standards.

1. The Governance of Traffic Management

Should a road owner have full control and responsibility for traffic management on that road? Are local Councils the appropriate place to determine how traffic should be managed in their area? What should be the balance of power between State and Local authorities? In the past these questions have been answered on the basis of expertise, economies of scale and the need to maintain consistency and therefore the default position has often been that the higher authority has been the traffic authority. For areas where traffic management is a minor discipline, particularly predominantly rural authorities, there has been no need to change this position but urban areas have regular traffic challenges and need to deal with these in a democratically responsive way. The recent change in Tasmania has devolved traffic management on local government roads to local councils and there are different views on whether or not this is the best thing for those councils, for the people they serve, and for state wide consistency. In considering the situation in Tasmania it is useful to know how this compares to practice elsewhere.

1.1 Australia

At a national level there is no direction as to who should be responsible for managing traffic locally but recognition that it will be a range of agencies at different levels⁽¹⁾. There is, however, guidance and standards to ensure consistency of treatment nationwide, this includes:

- Austroads guidelines
- Australian Road Rules (with their State variations)
- Australian Standards (particularly AS1742 Manual of Uniform Traffic Control Devices)⁽²⁾

While it is recognised that road safety is a shared responsibility there are emphases in the Austroads Guide to Road Safety⁽³⁾ and the National Road Safety Strategy⁽⁴⁾ that it is a core responsibility for road agencies or 'system managers' with no definition of which level of government this is referring to. National guidance in Australia therefore allows these responsibilities to be determined at State level.

1.2 Other States

The recent changes in the approval process for traffic control devices in Tasmania would appear to align practice with that in other Australian states. The following summary has been gleaned from direct submissions from AITPM colleagues or from internet searching but by no means seeks to provide a full analysis of interstate practice, nor does it attempt to delve into past history.

1.2.1 New South Wales

An instrument of delegation dated 31 October 2011 under section 50 of the Transport Administration Act 1988 gave responsibility for most traffic control devices to New South Wales councils. There are some exemptions that require the approval of Roads and Maritime Services, particularly those that involve restricting the movement of traffic. There is detailed guidance on seeking approval of the Local Traffic Committee⁽⁵⁾(LTC) before introducing a traffic control device and on keeping records. The Council must refer all traffic related matters to the LTC before exercising its delegated function. The LTC comprises four formal members: one representative of Council, one representative of NSW police, one representative of RTA and the local State Member of Parliament.

1.2.2 Northern Territory

Under the Local Government Act roads are under the care, control & management of Councils and anything erected on or affixed to the road belongs to a Council. The Northern Territory Traffic Act 2016 allows the Minister to delegate to a competent authority. A competent authority may erect traffic control devices. Other than the provision for the Minister to direct a competent authority (to remove or alter a traffic control device) there does not appear to be any limitations to this delegation.

1.2.3 Queensland

Under the Transport Operations (Road Use Management) Act 1995⁽⁶⁾ local government may install or remove official traffic signs in its area on a road that is not a declared road but the State Chief Executive may serve a notice to install or remove an official traffic sign.

1.2.4 South Australia

Under section 17 (1) and (2) of the Road Traffic Act 1961, a road authority requires approval from the Minister to install, maintain, alter, operate or remove a traffic control device on, above or near a road. The Minister has delegated powers and granted approvals by issuing instruments to the 'road authorities' including Councils and Councils have the power to specifically approve some traffic control devices for other road authorities. All Instruments are contained in of the Manual of Legal Responsibilities and Technical Requirements for Traffic Control Devices⁽⁷⁾. These Instruments specify the conditions of approval or authorisation, and the devices requiring separate approval. One of the conditions of approval or authorisation is that all traffic control devices shall conform to the requirements of the Act, associated Rules and Regulations, and the Code. The process to install, maintain, alter, operate, display or remove a traffic control device is contained in the Instrument issued from the Minister or the Commissioner of Highways to each authority. This process may vary depending on the function and type of device. If the conditions in the Instrument cannot be met then the authority needs separate approval. The traffic control devices requiring separate approval of the Commissioner of Highways or authorised delegate are listed in an appendix.

1.2.5 Victoria

The authorisation of Council Traffic Control Devices by VicRoads can take one of two forms:

- Delegation: through a formal instrument of delegation, VicRoads provides Councils with the authority to erect certain Major TCDs, providing it is done in accordance with the instrument.
- Memorandum: in other cases, a specific 'Memorandum of Authorisation' must be received by VicRoads before a Council can erect a TCD.

The conditions of the instrument dated 9 November 2009 delegating all Councils the power to authorise certain major traffic control devices under section 91 of the Road Safety Act 1986 included the following requirements:

- Delegation to the most senior Council officer dealing with traffic engineering
- Providing VicRoads with a copy of any authority given
- Councils must comply with the VicRoads Traffic Engineering Manual or similar guidelines
- Councils must comply with, including meeting the costs of, any direction from VicRoads
- Councils must get public transport operators approval
- VicRoads will sort out any disputes

1.2.6 Western Australia

Under Section 297(1) of the Road Traffic Code 2000⁽⁸⁾ the Commissioner of Main Roads may erect, establish, or display, alter or take down any road sign or traffic signal on the State's road network. Under Section 297(2) of the Code the Commissioner can allow an 'Authorised Body' such as local Government, to carry out the same functions subject to the terms and conditions set out in an Instrument of Authorisation. Under section 4a of the Code a person shall not erect, establish, place, maintain or display a traffic sign, a traffic-control signal, a road marking on a road, unless that person is authorised to do so by the Commissioner of Main Roads, has the consent of the Commissioner of Main Roads to do so under this regulation; or is otherwise entitled to do so under a written law of the State.

2. Tasmania

Before the change in practice at the end of 2014 there were established procedures relating to traffic control devices in Tasmania that most Councils assumed were backed by legislation and could not be changed. There was also a Code of Practice which set out the administrative arrangements for the introduction of traffic control devices. Although this led to some frustration it was accepted that the higher authority, at that time the Department of Infrastructure, Energy & Resources, had the final say and it was necessary for Councils to comply with its requirements. Local traffic committees ensured that matters could be dealt with by face to face discussion rather than written correspondence and a reasonable mutual understanding was established between State and Councils.

There are two distinct aspects to this:

- Approval of Traffic Control Devices
- Ownership of Traffic Control Devices

This paper mainly addresses the approval but ownership will also be discussed below.

2.1 Pre 2015 legislation and practice

2.1.1 Traffic Act 1925

Legislation relating to traffic management in Tasmania is dated and vaguely worded which has resulted in confusion in interpretation between different parties. Section 49 of the Traffic

Act 1925⁽⁹⁾ is enabling legislation giving the Commission power to 'place, erect, or install in public streets, posts, standards, domes, studs and other contrivances'. This hasn't been updated to the modern terminology of 'traffic facility' or 'traffic control device'. By using the term 'may' it has been argued that this gives the Commission no obligation.

Traffic Act 1925

49. Erection of standards, &c., by Commission

(1) The Commission may, for the purpose of marking stands, safety zones, or parking areas or for the purpose of guiding, directing, or regulating traffic, place, erect, or install in public streets, posts, standards, domes, studs, and other contrivances and may make markings on or in the surface of a public street.

(2) A person who wilfully or negligently damages any posts, standards, domes, studs, or other contrivances erected or installed under this section or who wilfully obliterates or defaces any markings made under this section is guilty of an offence against this Act.

Section 49A gives the Commission power to approve the introduction of road humps and protects against claims for damage to vehicles, if appropriately designed and installed.

Section 59 of the Act allows the Commission (section 1) to issue directions for the use of traffic signs on public streets to highway authorities, and others. It also allows (section 2) for the traffic signs to be supplied. Again, there is no obligation implied, however section 4 would appear to suggest that it is only through direction or provision by the Commission that signs can be used. State Growth, in its advice to Councils, and subsequent legal advice interpreted this as not preventing highway authorities from using signs independently providing their use is consistent with directions issued.

Traffic Act 1925

59. Traffic signs

(1) The Commission may issue directions for the use of traffic signs –

- (a) on or near public streets; and
- (b) on or in vehicles on public streets.

(1A) A direction referred to in subsection (1) may be given to any of the following:

- (a) a highway authority;
- (b) a prescribed authority;
- (c) any other person or class of persons.

(1B) A person referred to in subsection (1A) must comply with a direction issued by the Commission.

(2) The Commission may cause prescribed traffic signs to be made and supplied to an authority or person referred to in subsection (1A).

(3) An authority or person referred to in subsection (1A) shall cause all traffic signs supplied to it by the Commission to be used in conformity with the Commission's directions, and shall provide all such posts, holders, and appliances as may be necessary for that purpose.

(4) Except as hereinbefore provided, no traffic sign shall be placed on or near any public street or placed on or in any vehicle on any public street.

(5).....

(6).....

(7).....

(8) For the purposes of this section the expression traffic sign means any signal, warning, sign-post, direction post, or other device for the guidance or direction of traffic on public streets or for the giving of information to persons driving on or using public streets: and highway authority

2.1.2 Transport Act 1981

Section 10 of the Transport Act 1981⁽¹⁰⁾ is also relevant here as it gives the Commission authority to delegate the performance or exercise of its functions. Again the word 'may' is used indicating that there is no obligation to do this. It is under this legislation that Councils were delegated responsibility for parking controls and this was renewed in September 2014. Therefore, whereas there is a specific delegation for parking, the regulation of stationary

traffic (normally considered to be more in the remit of local government) there isn't for regulation of moving traffic. There is also a delegation relating to the regulation of bicycles and wheeled devices (skateboards etc.) on footpaths. The Commission considered it necessary to delegate these functions but did not for the more substantive use of traffic control devices. These delegations have not been revoked and therefore presumably still stand.

2.1.3 Local Government (Highways) Act 1982

The obligations of Councils in relation to roads that they own are defined in the Local Government (Highways) Act 1982⁽¹¹⁾. This makes them responsible (section 21) for the care, control and management of those roads.

Local Government (Highways) Act 1982

21. General responsibility of corporations

(1) Subject to this Act, the corporation of a municipality is charged with the duty of maintaining the local highways in the municipality that are maintainable by the corporation as shown on its municipal map, and, in any particular case, it shall discharge that duty in such manner as, having regard to all the circumstances of the case, it considers practicable and appropriate.

(2) For the purposes of the discharge of its duties under this section in respect of a highway, a corporation may carry out such works as it considers necessary for the maintenance or renewal of any bridge, embankment, or other work carrying, or otherwise associated with, the highway.

(3) The local highways in a municipality that are maintainable by the corporation vest in the corporation and, for the purpose of the exercise of its functions in respect of those highways, the corporation has, subject to the Traffic Act 1925 and the Vehicle and Traffic Act 1999, the care, control, and management of those highways.

This is defined (section 30) as including the management of traffic and the provision of traffic control devices to make the roads safer or more convenient to use or for aesthetic reasons.

Local Government (Highways) Act 1982

30. Improvement, &c., of highways

(1) Subject to sections 49 and 59 of the *Traffic Act 1925*, a corporation may, under or on a local highway maintainable by the corporation, carry out such works and do such other things as it considers necessary or desirable for rendering the use of the highway safer or more convenient or for improving its appearance.

(2) The powers of the corporation under this section shall be deemed to include power to provide and maintain in, under, or upon the highway and, if it thinks fit, remove from the highway all or any of the following buildings, structures, works, or other things:

a) buildings, shelters, works, equipment, and devices for the guidance, protection, or convenience of persons using or requiring to use the highway or for the regulation of traffic on the highway, other than traffic signs erected by the Transport Commission

Further to this section 31 covers restricting the movement of vehicles on a local highway by physical obstruction, this does specifically require the approval of the Transport Commission and a procedure for this is set out in the Act. This section names road humps as a type of obstruction included in this requirement and process. It is interesting that restriction of movement by sign (e.g. no entry, one way) is not included in this requirement.

Local Government (Highways) Act 1982

31. Obstructions for prohibition or restriction of vehicular traffic

(1) A corporation may, with the approval of the Transport Commission, construct or place obstructions in a local highway for the purpose of preventing or restricting the movement of vehicular traffic.

2.1.4 Code of Practice

The Code of Practice for the installation of Traffic Control Devices in Tasmania⁽¹²⁾ was published in February 2000 and it was this that defined the relationship between Councils and the State. The Code (part 1, Administrative Arrangements) was clear that:

'The Transport Commission is responsible for the traffic control on all roads in Tasmania and requires all proposals to install or modify traffic control devices to be referred for formal approval of the Chief Traffic Engineer, Traffic Standards Branch, Department of Infrastructure, Energy & Resources'.

The legislative authority for *'the authorising of all traffic control devices throughout Tasmania'* was given to the Transport Commission by Sections 49 and 59 of the Traffic Act 1925. This authority has been delegated to the Chief Traffic Engineer, Traffic Standards Branch.

Part 2 of the Code covered delegations to Councils. It explains that the authority to approve specific traffic control devices can be delegated to an officer of a Council. The approval of parking controls was delegated from at least the publication of the Code, with detailed installation standards and an update was issued in December 2009 giving further guidance to Councils. The parking delegation was renewed in 2014. A delegation was also issued, in 2008, giving authority (to a named officer) to approve the installation of 'No Bicycles' and 'No Wheeled Devices Zone' signs. Although the legislation always includes the word 'may' indicating its optional nature the Code of Practice was explicit that authority could only be given by delegation.

2.1.5 Ownership of Traffic Control Devices

As well as issuing directions for use of traffic signs the Traffic Act also (59, 2) allows the Transport Commission to supply signs. This was taken to indicate that it was therefore their responsibility and not the responsibility of Councils. Hence, on Council roads, although the road surface was owned by the local authority, line marking on those roads and signs were not considered to be owned by the Council. This was an ongoing dispute between State and Local government that was never satisfactorily settled. The Code of Practice did not really help with this in that it explicitly made devices installed under delegation to Councils their responsibility, *'The Council assumes ownership of all traffic control devices of the type listed'*. The implication was that those not listed were owned by the State. Except when part of an independently funded project the State department has traditionally supplied and replaced signs and lines (excluding the installation of signs) and continue to do so and Councils have been wary about the cost implications of any change to this.

2.2 Changes from 1 January 2015

During 2014, with political changes in the Tasmanian Government there was also administrative changes mainly aimed at improving efficiency. The Department of Infrastructure Energy and Resources was replaced with the Department of State Growth tasked, as its name suggests, with promoting the Tasmanian economy. Road and transport responsibilities were included in this department.

Tasmanian Councils received a one page letter dated 4 November 2014 from the Transport Commissioner, Bob Rutherford. This letter set out the reason for change being that whereas previously expertise resided with the former Department of Main Roads and the Transport Commission there was now considerable expertise in local government. It claimed there had been representation from Councils for a change to the system of approvals for Traffic Facilities.

The Commissioner, with this letter, rescinded the direction (presumably that contained in the February 2000 Code of Practice) requiring approval of Traffic Facilities on Council owned roads. This would be effective from 1 January 2015. The only stated exemptions to this is where legislation requires Transport Commissioner approval, that is the introduction of road

humps and other obstructions in the road as set out in the Local Government (Highways) Act 1982, and also speed limits and traffic signals.

The Commissioner is empowered to issue directions on the use of traffic signs and facilities and would continue to do so. He also proposed a Traffic Standards Group, but nothing more regarding this has yet been published.

This letter clearly generated a lot of questions from local councils and a follow up letter was sent just before Christmas 2014. This included a 'Traffic Facilities Information Sheet' repeating much of the information in the previous letter and including a more detailed explanation of the background legislation. It stated that it was not necessary for the Commission to delegate its powers, even though a delegation still stands for parking controls. Also attached was 'Transport Commission Direction - 2014/2, Direction for the Use of Traffic Signs - Traffic Act 1925'.

2.2.1 Directions

The first Direction from the Commission relating to traffic signs made a few general requirements for local councils to follow. These included complying with relevant Australian Standards, Austroads guidelines and thirty previously issued standard drawings covering line marking and the layout of intersections.

A second direction, 2015/1, withdrew a number of Technical Advice Sheets, covering issues such as 'Keep Clear' markings, 60 km/h speed limits in built up areas and Centre of the Road Markings. These issues are now left to local councils to determine, with reference to relevant national standards and guidelines.

2.2.2 Sign and line marking supply and maintenance

The Traffic Facilities Information Sheet sought to reassure Councils that the Commission would continue to supply signs and maintain lines as previously but with some changes to how this would occur. Much of the funding for line marking is from fines revenue and from a road safety levy and this would continue to be administered centrally through a single contract with a line marking contractor. This was followed by letters spelling out the arrangements in more detail. For signage, whereas previously signs were supplied the new arrangement was that Councils should buy the signs then invoice State Growth. For line marking it was now necessary for Councils to identify sites that needed attention to State Growth using a standard form. It was this that brought the ownership issue to a head in some Councils as it wasn't seen as Council responsibility to survey the condition of a State asset. Legal advice was sought which confirmed that the legislation favoured the ability of the State to choose how it wished to administer this responsibility, the use of the word 'may' enabled this interpretation.

3. Tasmanian Councils

Tasmania is governed, at local government level, by 29 Councils. All council areas contain towns or cities, most also include a significant rural area. The largest urban area, greater Hobart is covered by five councils whereas the second largest city, Launceston is mainly covered by one but has peripheral areas in two other municipalities. At the 2011 census Tasmania had 495,354 people at an average density of 7.3 people per square kilometre. Some of the main Council area statistics are as follows:

Largest population	Launceston	64,193
Smallest population	Flinders	776
Largest area	West Coast	9589.8 km ²
Smallest area	Hobart	77.9 km ²

Highest density	Hobart	625.2
Lowest density	Central Highlands	0.3

To determine how they have been coping since the change a questionnaire was sent to all Tasmanian Councils with the assistance of the Local Government Association of Tasmania. The questions were designed to be reasonably straightforward and open to encourage an honest, factual response. Fourteen responses to this were received and these are summarised under each question below.

3.1 Questions & Responses

3.1.1 Initial reaction

How did you initially react when you received notification (letter dated 4 November 2014) that, from 1 January 2015 the Department of State Growth no longer needed to approve traffic control devices?

- This is not a Council responsibility
- Sought legal advice
- Concern about Council operating on its own
- Concerns about lack of state wide consistency
- Seen as a cost shifting exercise
- The vague wording of legislation enabled long held understanding and practice to be overturned
- Limited consultation/discussion before the change

3.1.2 Ongoing experience

After one year of operation has your attitude towards this changed?

Yes - 4

No - 9

Unsure - 1

Comments:

- No major issues so far
- Staff now more knowledgeable
- Reasonable support from State Growth officers
- State Growth still hold on to the authority but do not provide resources to assist

3.1.3 Internal processes

What internal processes have you put in place to approve traffic control devices?

- None - 4
- Register of traffic control devices
- An internal memo
- Consultation with manager
- Traffic approval form - 2

- As previously used for parking controls
- Signed off by manager

3.1.4 Who approves traffic control devices?

Who within your organisation approves traffic control devices?

- Director - 4
- Manager - 6
- All of above, plus General Manager - 1
- Officer - 2
- In consultation with a committee - 2
- No one - 1

3.1.5 Is the new arrangement better?

Has the change improved your decision making and ability to deliver traffic management projects?

Yes - 6

No - 8

Comments:

- We still often need to seek advice from State Growth
- Decisions are preceded by more analysis as we need to take more ownership of them
- Most projects are either State Growth funded or are within the areas for which State Growth have retained control.
- Staff now have a greater knowledge of standards and acts

3.1.6 Do you know enough?

Does your Council have sufficient internal expertise to deal with traffic management?

Yes - 9

No - 3

Depends - 1

Comments:

- As a predominantly rural Council we have few complex traffic issues
- Limited to two staff
- We have attended additional training
- We do for basic stuff
- Probably the expertise but not the time

3.1.7 Do you use consultants more?

Have you, since the change increased your use of consultants for traffic management?

Yes - 8

No - 6

Comments:

- For a peer review of traffic impact assessments

3.1.8 And finally, what happened to the traffic committee?

Do you operate an internal replacement to a local Traffic Committee, if so what are its Terms of Reference?

Yes - 4

No - 9

Never did - 1

Comments:

- Traffic issues now raised through the Community Safety Advisory Committee
- Committee also considers parking issues
- Twice a year public meeting

4. Discussion and Conclusions

4.1 Discussion

4.1.1 National guidance

Peculiar to Australia is the ability of each state to determine its own legislation, policy and practice, and this includes the regulation of traffic. Although we would not expect the Federal Government to tell us how to run our states, other than setting general nationwide strategy and policy, it is at times useful to have some guidance. The relationship between State and local government in determining the management of traffic is one area where this might be beneficial.

4.1.2 Other States

What is clear from the information provided by other States is the variety of arrangements that exist. Most States have some form of delegation to local government but the detail of this delegation varies significantly. In some cases, with some controls, everything is delegated, in others only basic traffic control is with State approval needed for more restrictive devices. The amount of advice, either supplementing or complimenting that contained in national standards varies significantly. The advice does not necessarily match need, the States that contain Australia's larger cities, where traffic management is a more advanced discipline, and therefore there should be greater expertise, would appear to have more detailed advice. There is less guidance in, for example Northern Territory and certainly in Tasmania. Maybe Councils more regularly involved in traffic management need more guidance to ensure state wide consistency.

4.1.3 Legislation

As has been noted earlier the legislation in Tasmania relating to the management of traffic is dated with vague wording enabling interpretation dependant on circumstances. Compared to this legislation in other states much more clearly defines the relationship between State and local government. The regular use of the word 'may' gives the Transport Commission the option to: give directions to require authorisation of traffic facilities or not to give such directions; supply traffic signs or not to supply traffic signs, etc. and local councils have no

say in the matter. It appears that the delegation function under the 1981 Act is also being interpreted according to circumstances. A State department officer is operating under a delegation in approving speed limit changes even though this is apparently not necessary for local government to do so.

4.1.4 Code of Practice

The Code of Practice was a good document, it spelt out exactly the powers and procedures relating to the installation of traffic control devices. Councils knew exactly where they stood in relation to moving traffic and to parking, with clearly defined responsibilities and delegations. The detailed guidance on parking management practice was useful and ensured state wide consistency. There were frustrations with the old system, the state was at times seen as restricting progress and the desire of local councils to meet community desires, but mostly decisions were based on good engineering practice, knowledge of relevant standards and experience. Having a higher authority to refer to did help to support local council officers in the face of political pressures and it did give someone to 'blame' if a decision didn't satisfy local aspirations.

4.1.5 Tasmanian Councils

There was clearly significant unrest amongst many Tasmanian Councils following the letter from State Growth removing the long held requirements and support for traffic management. It is interesting, though, that over half didn't respond to the questions circulated by LGAT, this maybe shows that there is no real depth of feeling amongst those Councils. The letter was normally preceded by notification by officers, sometimes at a local traffic committee, but it was done without consultation and with fairly short notice to get alternative procedures in place. The fact that authorities sought legal advice demonstrates the depth of feeling that the established procedures were 'protected'. It is pleasing that some authorities have either come to terms with the new arrangements or are positively seeing the benefits. One issue of concern is the way in which approval for traffic control devices is administered. Some Councils have developed a formal procedure with approval by manager or director who would presumably have the necessary qualification to support a decision but in others this is left to more junior staff. This may lead to difficulty for Council if there is a claim against it in relation to a change to the management of traffic on a road. The questionnaire responses frequently referred to 'cost shifting' from State to Local government and one Council estimated this additional liability as \$100,000 a year. There was particular concern about the process for line marking maintenance and the additional burden on staff of preparing the annual schedule of works required, down to identifying each metre of line required. Of course if line marking on local roads is 'owned' by the road asset owner, as the legislation has been identified to determine, then it is only right that this responsibility should be with Local government.

4.2 Conclusions

Councils are in the best position to respond to the needs of their local communities at a level of detail that it is inappropriate for the State to get involved. Within defined parameters a Council can be innovative as it seeks to best tackle local issues. As traffic and transport management align closely with land use planning it is appropriate that they are dealt with by the same authority that is responsible for issuing planning permits. The principle of subsidiarity applies here, that powers and responsibilities should be left with the lowest level of government practicable resulting in greater local input into decision making. It has been recognised, however⁽¹³⁾, that the success of this depends on the interest of a community in an issue, if traffic management is seen as irrelevant then there will be little resource or expertise devoted to it. Council do, however, need State and national support and guidance

to ensure they are not acting contrary to good practice, they cannot act in isolation in a discipline where consistency is important to ensure the safety of road users. The ideal model is a 'bottom up' hierarchy where State and Federal government are seen to serve Local government which is tasked with delivering services to local people. There is therefore an important interrelationship between the different levels of government in dealing with the management of traffic and each should recognise and accept its responsibilities. These responsibilities need to be clearly defined, if not through legislation then through policy documents and codes of practice.

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