

## ROAD SAFETY (TRAFFIC MANAGEMENT) REGULATIONS 2019

### INSTRUMENT OF DELEGATION BY HEAD, TRANSPORT FOR VICTORIA TO THE CHIEF EXECUTIVE OFFICERS OF LOCAL COUNCILS

#### 1. Purpose

Only Head, Transport for Victoria has the power to authorise:

- Temporary works speed-limit sign in circumstances where the works are not in or on the vicinity of a road and does not relate to construction, maintenance or repair of road and road related infrastructure.
- Portable traffic control device with traffic signal.

This instrument of delegation will allow authorisation to Councils in Victoria under the Road Safety (Traffic Management) Regulations 2019 pertaining to the use of:

- Temporary works speed-limit signs on road or road related area for which Local Government is the coordinating road authority, and
- Portable traffic control device with traffic signal on road or road related area for which the Local Government is the coordinating road authority.

#### 2. Delegation

The Head, Transport for Victoria, as the entity established under s 64A of the *Transport Integration Act 2010* (**Head, TfV**), in exercise of the power conferred on it by section 64R of that Act (and as the case requires, any and all other enabling powers), by this instrument.

#### DELEGATES

- to each person who holds, occupies or performs the duties (including on an acting, probationary or temporary basis) of the office or position of **Chief Executive Officer**, of any Council in Victoria (as defined in the *Local Government Act 1989*), as specified in Schedule 2 to this Instrument (each a **Delegate**);
- each power or function conferred, or duty imposed, on the Head, Transport for Victoria by a provision specified in **Column 1 of Schedule 1** (being generally described in **Column 2** but not limited by that description);
- subject to the conditions or limitations in the corresponding row of **Column 3 of Schedule 1** (and, as applicable, **Schedule 1A**).

#### 3. Power of authorisation and sub-delegation

- a. A Delegate may authorise a person employed or engaged at the same Council as the Delegate, and subject to the same conditions and limitations in **Column 3 of Schedule 1** (and, as applicable, **Schedule 1A**).
- b. A Delegate may not sub-delegate the power to authorise a person.

#### 4. Notes

- a. If the authorisation of a major traffic control device, that is a portable traffic control device with traffic signal is outside the scope of the limitations in Schedule 1A, then the authorisation of that particular portable traffic control device with traffic signal must be referred to the **Department of Transport and Planning** (the **Department**) for approval.

## 5. Period of Operation

This instrument will come into effect on and from the date it is signed and continues until expressly revoked.

**Dated:**           **25 June 2024**

A handwritten signature in black ink, appearing to read 'P. Younis', is written above a horizontal dotted line.

**PAUL YOUNIS**

**Entity Head of the Head, Transport for Victoria**

## Schedule 1

### Delegation of Powers, duties and functions under the Road Safety (Traffic Management) Regulations 2019

Column 1 Provision	Column 2 Description	Column 3 Conditions / Limitations
Regulation 18(1)(a)	<b>Power to authorise a person</b> (other than a responsible entity for a road or road related area) to erect, display, place, remove or alter a major traffic control device, on a road or road related area.	Power may only be exercised in relation to a major traffic control device that is a portable traffic control device with traffic signal, subject to the limitations in Schedule 1A, and on road or road related area for which the Council is the coordinating road authority.
Regulation 18(1)(a)	<b>Power to authorise a person</b> (other than a responsible entity for a road or road related area) to erect, display, place, remove or alter a major traffic control device, on a road or road related area.	Power may only be exercised in relation to a major traffic control device that is a temporary works speed-limit sign, on road or road related area for which the Council is the coordinating road authority.

## Schedule 1A – Limitations

A person authorised under section 18(1)(a) in relation to a major traffic control device that is a portable traffic control device with traffic signal, is subject to the following limitations:

- a. The person may exercise powers only for the purpose of authorising portable traffic control devices with traffic signal:
  - I. The portable traffic control devices with traffic signal is used for temporary Traffic Management only and shall not be used on a permanent basis.
  - II. The portable traffic control devices with traffic signal is not connected to any real time traffic management platform such as the Sydney Coordinated Adaptive Traffic System (SCATS).
  - III. The portable traffic control devices with traffic signal authorised is compliant to AS 4191:2015 Portable traffic signal systems or has been accepted for use by the Department.
  - IV. The portable traffic control devices with traffic signal is not authorised in the following scenarios:
    - I. within 200m of a permanent traffic signal.
    - II. on a tram route.
    - III. within 500m of a level crossing, and to the extent that it doesn't result in queueing in proximity to the level crossing.
  - V. The portable traffic control devices with traffic signal is only used in applications involving:
    - I. shuttle flow, or
    - II. contra flow, or
    - III. pedestrian crossing, or
    - IV. stopping traffic in both directions for a duration that does not exceed 2 minutes at any point of time unless required to ensure safety.
  - VI. The portable traffic control devices with traffic signal is implemented in accordance with the Victorian Code of Practice for Worksite Safety – Traffic Management (incorporating the Austroads Guide for Temporary Traffic Management) and any other applicable standards or guidelines.
  - VII. When enabled, the portable traffic control devices with traffic signal shall be manually controlled at all times by a qualified and experienced person(s) on-site.
- b. In addition to the limitation set out in clause a. above, a delegate may exercise a power under regulation 18(1)(a) of the Road Safety (Traffic Management) Regulations 2019 only to the extent where the Local Government is the coordinating road authority for the road or road related area at the time of exercise of the power.

### Note:

- c. Head, Transport for Victoria or its delegate may require the modification or removal of the portable traffic control devices with traffic signal at no cost to Head, Transport for Victoria if there are negative impacts in one or more of the following scenarios.
  - I. safety of the public.
  - II. operation of road or road related areas managed by the Head, Transport for Victoria

**Schedule 2 – List of Local Councils in Victoria**

1.	Alpine Shire Council
2.	Ararat Rural City Council
3.	Ballarat City Council
4.	Banyule City Council
5.	Bass Coast Shire Council
6.	Baw Baw Shire Council
7.	Bayside City Council
8.	Benalla Rural City Council
9.	Boroondara City Council
10.	Brimbank City Council
11.	Buloke Shire Council
12.	Campaspe Shire Council
13.	Cardinia Shire Council
14.	Casey City Council
15.	Central Goldfields Shire Council
16.	Colac Otway Shire Council
17.	Corangamite Shire Council
18.	Darebin City Council
19.	East Gippsland Shire Council
20.	Frankston City Council
21.	Gannawarra Shire Council
22.	Glen Eira City Council
23.	Glenelg Shire Council
24.	Golden Plains Shire Council
25.	Greater Bendigo City Council
26.	Greater Dandenong City Council
27.	Greater Geelong City Council
28.	Greater Shepparton City Council
29.	Hepburn Shire Council
30.	Hindmarsh Shire Council
31.	Hobsons Bay City Council
32.	Horsham Rural City Council
33.	Hume City Council
34.	Indigo Shire Council
35.	Kingston City Council
36.	Knox City Council
37.	Latrobe City Council
38.	Loddon Shire Council
39.	Macedon Ranges Shire Council
40.	Manningham City Council

41.	Mansfield Shire Council
42.	Maribyrnong City Council
43.	Maroondah City Council
44.	Melbourne City Council
45.	Melton City Council
46.	Merri-bek City Council
47.	Mildura Rural City Council
48.	Mitchell Shire Council
49.	Moira Shire Council
50.	Monash City Council
51.	Moonee Valley City Council
52.	Moorabool Shire Council
53.	Mornington Peninsula Shire Council
54.	Mount Alexander Shire Council
55.	Moyne Shire Council
56.	Murrindindi Shire Council
57.	Nillumbik Shire Council
58.	Northern Grampians Shire Council
59.	Port Phillip City Council
60.	Pyrenees Shire Council
61.	Borough of Queenscliff
62.	South Gippsland Shire Council
63.	Southern Grampians Shire Council
64.	Stonnington City Council
65.	Strathbogie Shire Council
66.	Surf Coast Shire Council
67.	Swan Hill Rural City Council
68.	Towong Shire Council
69.	Wangaratta Rural City Council
70.	Warrnambool City Council
71.	Wellington Shire Council
72.	West Wimmera Shire Council
73.	Whitehorse City Council
74.	Whittlesea City Council
75.	City of Wodonga
76.	Wyndham City Council
77.	Yarra City Council
78.	Yarra Ranges Shire Council
79.	Yarriambiack Shire Council