

POLICE**PE301****ROAD TRAFFIC ACT 1974****ROAD TRAFFIC (EVENTS ON ROADS) REGULATIONS 1991**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Road Traffic (Events on Roads) Regulations 1991*.

Commencement

2. These regulations shall come into operation on the day on which the *Acts Amendment (Events on Roads) Act 1988* comes into operation.

Categories of events

3. (1) When making an application for an order the applicant shall describe the nature of the event in respect of which the application is made and categorize the event as—

- (a) a category 1 event—being an event which involves large public participation;
- (b) a category 2 event—being an event which involves the racing of motor vehicles and does not involve large public participation;
- (c) a category 3 event—being an event which involves the racing of non-motorized vehicles, an athletic event or any other event, other than a locality or street event, which does not involve large public participation; or
- (d) a category 4 event—being a locality or street event which does not fall within categories 1, 2 or 3.

(2) If the Board is of the opinion that an event has not been correctly categorized by the applicant it may—

- (a) refuse to grant an order in respect of that application; or
- (b) subject to subregulation (3) (b) but notwithstanding any other provision of these regulations categorize the event as it considers appropriate and grant the order.

(3) Where the Board grants an order under subregulation (2) (b) it may—

- (a) if the fee payable for an application for the event as categorized by the Board is less than the fee paid by the applicant, refund the difference between the fees; or
- (b) if the fee payable for an application for the event as categorized by the Board is greater than the fee paid by the applicant, grant the order subject to the payment by the applicant of the difference between the fees.

Approvals

4. (1) Before making an application for an order for a road closure the applicant shall obtain—

- (a) the approval of each local authority for the district within which the road is situated;
and
- (b) where the road is vested in the Commissioner of Main Roads, the approval of the Commissioner,

for the closure of the road.

(2) A local authority and the Commissioner of Main Roads may require the payment of an administrative fee before granting an approval under this regulation.

Occupier's consent

5. (1) Before making an application for an order for a road closure for a category 4 event the applicant shall obtain and record the consent of not less than two-thirds of the occupiers of land immediately adjacent to the road it is proposed to close.

(2) The record of consent shall be in the form described on the reverse of the application form.

Application for order

6. (1) An application for an order shall—

- (a) be made by a person of not less than 18 years of age; or
- (b) in the case of an application by a body, specify a person of not less than 18 years of age as the person nominated to be directly responsible for the conduct of the event.

(2) An application for an order shall be—

- (a) made in the form of Form 1 in Schedule 1;
- (b) lodged at the police station nearest to the place where the proposed event is to take place; and
- (c) accompanied by—
 - (i) the appropriate application fee as set out in Schedule 2;
 - (ii) the approval, or approvals, referred to in regulation 4; and
 - (iii) the record of consents, if any, required under regulation 5.

Time for making application

7. An application for an order in respect of—

- (a) a category 1 event shall be made not less than 6 months prior to the proposed date of the event;
- (b) a category 2 event shall be made not less than 3 months prior to the proposed date of the event;
- (c) a category 3 event shall be made not less than one month prior to the proposed date of the event;
- (d) a category 4 event shall be made not less than one month prior to the proposed date of the event,

or such shorter period as may be agreed by the Board.

Order

8. (1) The Board shall not make an order for a road closure—

- (a) subject to regulation 3 (2), if the application has not been made in accordance with these regulations;
- (b) if it has reasonable ground for apprehending that the event proposed to be held on that road may—
 - (i) not be conducted in an orderly manner or may occasion damage to public or private property;
 - (ii) create a public nuisance;

- (iii) give rise in any road to an obstruction that is too great or too prolonged in the circumstances; or
 - (iv) place the safety of any person in jeopardy;
 - or
 - (c) if it has reasonable ground for apprehending that the applicant or person nominated under regulation 6 (1) (b) is not a person of good character.
- (2) An order shall be in the form of Form 2 in Schedule 1.
- (3) An order shall only be valid on the day, and between such times, as are specified in the order.
- (4) It is a condition of every order that the person who applied for the order, or who is specified in the order as being directly responsible for the conduct of the event, shall be present at the event at all times the order is in force.

Erection of barriers, signs and other equipment

9. (1) A road closure ordered by the Board under Part VA of the Act shall be effected by the erection and maintenance by the local authority for the district within which the road concerned is situated of—

- (a) barriers, being free standing posts and rails, or other barriers which are substantial and uniform in construction;
- (b) signs, being substantial and uniform in design, with the words "Road Closed" or similar, clearly printed on in black letters upon a reflective background; and
- (c) such other equipment as the local authority considers is reasonably necessary to effect the road closure.

(2) The costs of erecting, maintaining and removing barriers, signs and other equipment to effect a road closure are payable to the local authority by the person or body who applied for the order for that road closure.

(3) A local authority may waive the payment of all or any of the costs referred to in subregulation (2).

(4) Any costs payable to a local authority under subregulation (2) may be recovered as a debt due to that local authority in a court of competent jurisdiction.

Offences

10. A person who—

- (a) without lawful excuse removes or interferes with any barrier, sign or equipment erected under section 81D;
- (b) at an event conducted on a road closed pursuant to an order acts in a disorderly manner for the purpose of disrupting the event; or
- (c) incites other persons to commit an offence against paragraph (a) or (b),

commits an offence.

Penalty: \$500.

Schedule 1

Form 1

ROAD TRAFFIC ACT 1974

APPLICATION FOR AN ORDER FOR A ROAD CLOSURE

(Reg. 6 (2))

NOTE: Under section 97 (b) of the *Road Traffic Act 1974* it is an offence to wilfully mislead a person in any particular likely to affect the discharge of that person's duty under the Act.

1. Full name and address of person making application or nominated by body making application
2. Date of birth:
3. Telephone Number: Home: Work:
4. Full name of body making application
5. Nature of event
6. Approximate number of participants
7. Date of event
8. Duration From: To:
9. Street/Locality event to be held at (see also item 18)

10. Street locality event (see Regs. 5, 6 (2) (c) (iii), reverse of this form)
 - (a) Total number of occupiers of land immediately adjacent to the nominated road or roads
 - (b) Number of occupiers who have consented to the road closure
 - (c) Number of occupiers who have opposed road closure
11. Roads/road to be closed (see item 19 if applicable)
12. Extent to which roads will be used (half/full carriageway)
13. Exact route that event will follow (including starting and finishing points)
14. Date of previous event, if any, conducted at the location/route
15. Date of previous event, if any, conducted by the applicant, club, group or organization
16. Race meetings and speed tests: specify any provisions of the *Road Traffic Act 1974*, or regulations made under that Act, (other than provisions or regulations relating to the movement of traffic and pedestrians or the obstruction of a street) requested to be suspended under section 83 of the Act—
.....
.....
.....
17. Any other relevant information
- If insufficient space continue on a separate sheet.
18. I have read the requirements on the reverse of this application. The information supplied by me is true and correct to the best of my knowledge.
 Signature:
 Date:
19. LOCAL AUTHORITY APPROVAL:
 I
 designation approve/object
 to, this application on behalf of the City/Shire/Town of
 Signed:
 Date:
 Telephone:
 Official Stamp or Crest:
20. COMMISSIONER OF MAIN ROADS APPROVAL:
 I
 designation approve/object
 to, this application on behalf of the Commissioner of Main Roads.
 Signed:
 Date:
 Telephone:
 Official Stamp or Crest:
21. LOCAL POLICE APPROVAL:
 I
 designation approve/object
 to, this application.
 Signed:
 Date:
 Police Station:

22. RECEIPT DETAILS:

The prescribed fee of \$..... received.

General Receipt Number issued.

Signed:

Date:

Police Station:

REQUIREMENTS

- (A) Applications are to be lodged at the police station nearest to where the proposed event will be held. The prescribed application fee is to be paid at the time of lodgement.
- (B) To permit the relevant authorities adequate time to assess applications and organize resources, applications shall be lodged within the following prescribed periods—
- (i) any events involving large public participation e.g. City to Surf Fun Run, pageants, not less than six calendar months prior to the proposed event;
 - (ii) events involving the racing of motor vehicles but not large public participation, not less than three calendar months prior to the proposed event;
 - (iii) events involving the racing of non-motorized vehicles, athletic events or other activities of a smaller nature, not less than one calendar month prior to the proposed event;
 - (iv) events involving street or locality events which do not involve large public participation, not less than one calendar month prior to the proposed event.
- (C) Where local authority/Commissioner of Main Roads approval is required, the relevant declarations on the application are to be completed prior to the application being lodged.
- (D) It is the applicant's responsibility to arrange with the local authority for—
- (i) the supply, erection and removal of prescribed road closure barriers and signs;
 - (ii) the payment of any associated fees and/or administrative charges.
- (E) Where an Occupier's Consent Form is required it must indicate that two-thirds of the occupiers affected consent to the proposed road closure.

The consent shall take the following form—

OCCUPIER'S CONSENT FORM FOR A
STREET/LOCALITY EVENT

It is intended to apply to conduct a street/locality event in

(street/road)

between and

(intersecting feature)

(intersecting feature)

during the hours of and

on, 19.....

The event is being conducted on behalf of

(club, group, organization)

OCCUPIER'S NAME ADDRESS DATE CONSENT/OBJECT

Form 2

ROAD TRAFFIC ACT 1974
ORDER FOR ROAD CLOSURE

(Regulation 8 (2))

To

Address

An order for a road closure has been made subject to the following conditions and limitations—

1. Nature of event

