



## **POLICY**

### **Activity on a road**

#### **1. Objective**

To provide a clear and consistent procedure for application and administration of ***Activity on a road*** permits.

#### **2. Principle**

Activities on roads can cause inconvenience for road users, residents, and traders. Altering normal traffic conditions can pose a significant risk to road users if not properly planned.

An application for an *activity on a road* will only be approved when benefit for the community is justified.

An *activity on a road* application must;

- Be made to Council eight weeks prior to conducting the event/activity;
- Have merit;
- Comply with road rules and regulations;
- Mitigate risk;
- Satisfy the requirement of any relevant agency and consider all affected parties.

Events/activities which will be considered for application are:

- Sporting events
- Official openings
- Street parade/march
- Public rally
- Street parties
- Festivals
- Filming
- Cycling tour

An application for an activity on a road(s) which is a race or competition (fun run, foot race, cycling race etc.) ***must*** seek consent from the Victoria Police Road Safety Awareness Unit if the event involves more than 30 competitors and one of the competitors will be declared a winner at the conclusion of the event.

#### **3. Definition**

An *activity on a road* is:

- An event/activity on a road which alters or affects normal traffic conditions
- An event/activity on a road which requires the placement of temporary traffic signs

#### 4. Authority

Macedon Ranges Shire Council (Council) has legal obligations relating to the management of local roads. Council is a responsible authority under the Road Safety Act 1986, Road Management Act 2004 (RMA) and the Road Safety Traffic Management Regulations 2009.

Extract from Road Management Act 2004

(1) A road authority has the following general functions—

- a) to provide and maintain, as part of a network of roads, roads for use by the community served by the road authority;
- b) to manage the use of roads having regard to the principle that the primary purpose of a road is to be used by members of the public and that other uses are to be managed in a manner which minimises any adverse effect on the safe and efficient operation of the road and on the environment;

This policy is made under Section 5.9 of Council's Local Law Number 8.

#### 5. Permits from other authorities

Council can only approve an event/activity on roads and reserves over that it has authority to do so. Council's Road Register defines the roads for which Council is the responsible road authority.

Depending on the location, type and size of an event a permit must be obtained from:

##### 5.1. Location

- **VICROADS** if an event/activity is to be conducted on a freeway or arterial road<sup>1</sup>
- **DSE/PARKS VICTORIA** if an event/activity is to be conducted in an area managed by Parks Victoria
- **VICTRACK** if an event/activity is to be conducted on a rail reserve
- **THE DEPARTMENT OF TRANSPORT** if an event/activity will affect public transport

##### 5.2. People

**VICTORIA POLICE** if:

- A competitive event is being conducted – a footrace, bicycle race or similar (not racing motor vehicles)
- the event consists of more than 30 persons

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<sup>1</sup> <sup>1</sup> Road classifications: The RMA categorises roads into three main classifications:

- Freeways (VicRoads responsibility)
- Arterial Roads (VicRoads responsibility)
- Local Roads (Council responsibility)

## **6. Traffic Management**

Activities on a road are to be undertaken in accordance with VicRoads' Worksite Traffic Management Code of Practice.

Section 99A (3) (a) of the Road Safety Act requires any person conducting works on a road to have in operation a traffic management plan. A traffic management plan should consider:

- a) Appropriate positioning of traffic control signs
- b) Emergency access points for both workers and emergency vehicles
- c) Unusual hazards such as schools, hospitals etc
- d) Movement of large vehicles (B-double trucks, buses etc)
- e) Safe access for cyclists, pedestrians and people with disabilities
- f) Potential delays to public transport
- g) Access to surrounding properties
- h) Communications between traffic control personnel

Qualified traffic marshals must be engaged to control security and the safe movement of vehicle and pedestrian traffic. All traffic marshals are to be suitably identified, and must wear high visibility jackets.

Activities on a road are to be undertaken in accordance with the VicRoads' Worksite Traffic Management Code of Practice.

### **6.1. Car parking**

Consideration must be made for the car parking requirements of: emergency vehicles, disabled patrons, general parking, excess parking (overspill) buses, taxis and event officials and participants.

## **7. Amenity**

A waste management plan and cleaning schedule for public toilets must be included for events which anticipate more than 150 participants.

## **8. Risk**

All applicants must have current public liability insurance and submit a risk management plan.

The risk management plan should consider:

- a) Fire Danger Rating (including Code Red Days)
- b) Lost/missing persons
- c) Lost/stolen property
- d) Injury
- e) Accident
- f) Communication to participants
- g) Communication between personnel
- h) Security
- i) First Aid

## 9. Notification

Activities on a road must not risk public and operational safety for emergency response, or cause confusion for transport.

Notifications must be made to:

- Local Police
- Local Police Highway Patrol OIC (Kyneton Police Station)
- Local Country Fire Authority (CFA)
- Local Ambulance
- Local State Emergency Service (SES)
- The Department of Transport (if affecting public transport)
- All persons who will be affected by the event/activity

Notifications must be received eight weeks prior to the event and provide contact details for where objections can be lodged<sup>2</sup>.

Copies of notification correspondence must be submitted with an application.

## 10. Assessment of Application

All applicants are strongly encouraged to contact Council prior to making an application.

All applications will have a preliminary assessment undertaken to ensure there is justifiable community benefit.

All applications must meet the following criteria:

1. There is no alternative venue
2. The activity/event is supported by affected property owners
3. The activity/event is supported by affected businesses
4. The activity/event has historical, cultural or religious relevance
5. The activity/event is supported by the community
6. The traffic management plan provides alternative routes for large vehicles
7. There is no perceived risk of civil disobedience
8. There is no significant disruption to access to facilities such as schools, hospitals etc
9. The activity/event complies with all relevant permits from other agencies/authorities

Applications are co-ordinated by the Council & Customer Service unit in consultation with the following departments: Infrastructure Planning & Design; Operations; Community Safety; Economic Development & Tourism, and Risk Management. Where appropriate, Council will consult local police, VicRoads and any other relevant agency as part of the preliminary assessment.

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<sup>2</sup> A template notification letter is provided as an example

## **11. Decision**

The Manager Council & Customer Service (or delegate) on behalf of Council will grant or refuse the application having regard to advice received.

A successful application will be issued a permit subject to various conditions.

### **Fees**

The fees and charges are set out in Council's current fees & charges schedule. The permit fees for conducting an activity on a road are listed in Part 6 of the application.

Fees will be assessed with reference to the following event classifications:

Not for profit events:

- Charitable event—run primarily for charitable or non-profit purposes
- Community event—run primarily for community entertainment purposes providing free or low cost entertainment for general public participation
- Rallies and protests—organised for a specific political or industrial purpose
- Days of national significance—Anzac Day, Australia Day, Remembrance Day, official days of mourning

Run for profit events:

- Commercial events—fee paying events, i.e.: fun run, bicycle race, foot race
- Special events—planned activities that involve significant numbers of people, i.e.: concerts, festivals

## **12. Council assistance**

Council assistance will be provided to events at the discretion of Council and the Chief Executive Officer (or delegate). Council assistance is defined as follows:

- a) The provision of qualified traffic marshals for a maximum of five hours
- b) The provisions of traffic signs (subject to availability) for events it has agreed to assist and / or are being managed by qualified traffic marshals
- c) The waiving of application fees

## **13. Monitoring**

Adherence to conditions of permits will be monitored by local laws officers.

Local laws officers may inspect the certification of traffic marshals, traffic management plans and where appropriate issue a penalty.

## **14. Penalty**

In accordance with the Road Management Act 2004 it is an offence to: carry out an activity; install anything in/on/over/under; construct anything in/on/over/under a road without consent of the road authority.

The penalty for conducting an Activity on a Road without the consent of Council is \$250.

The penalty for contravening the conditions of a permit to conduct an event/activity on a road is \$250.

## **15. Application Form**

All applications for an activity on a road where Council is the responsible authority, must be on the application form attached to this policy and submitted to Council at least eight (8) weeks prior to the proposed event/activity.

All applicants are required to contact the Activity on a Road Coordinator, on ph.5422 0320, prior to the lodgement of their application.

(Sample courtesy letter)

Date

Company Name

Address

**Activity on a road/road closure at <Street name(s)>**

This is to advise you that <street name(s)> will be having altered traffic conditions <location details>. See the reverse side for a diagram of the closure and location.

**Date:**

**Times:** from <time a.m. /p.m.> to<time a.m. /p.m.>

**Purpose:** <give specific reason for the closure, e.g. "Woodend Fun Run">

**Access:** Local access to and from your properties will still be possible via <give details.

We regret the inconvenience to residents and businesses but need to consider safety <or other similar statement>.

For any enquiries about this, please contact:

<Give a contact name, position in the company, phone number>

Or

Macedon Ranges Shire Council, on 03 5422 0333, in writing to [mrsc@mrsc.vic.gov.au](mailto:mrsc@mrsc.vic.gov.au) or PO Box 151, Kyneton, 3444

Regards

<Company representative name and position>