

ROAD OCCUPANCY OR ROAD CLOSURE FOR EVENTS

APPLICATION FORM (s144 Roads Act - Permits for road events)

Applicant Details			
Applicant Name:			
Applicant Address:			
Suburb / Locality:		Postcode:	
Phone (bus):		Phone (pte):	
Phone (mob):		Email or Fax:	

Event Details			
Event Name:			
Event Description:			
Estimated number of people participating:			
Estimated number of spectators/others:			
Is the Event a race or time-trial?:	☐ Yes	☐ No	
If Yes, NSW Police Approval required and copy of Approval required by Council:	NSW Police Approval Supplied?:	☐ Yes	☐ N/A
		☐ No	
Is the Event a car rally or race?:	☐ Yes	☐ No	
If Yes, NSW Police Approval required and copy of Approval required by Council:	NSW Police Approval included?:	☐ Yes	☐ N/A
		☐ No	
Tick any/all affiliated organisation Approvals or Permits, copies of Approvals/Permits required by Council:	☐ AASA	☐ Other	
	☐ AMSAG		
	☐ CAMS		

Roads Being Occupied			
Road Name	From	To	Dates/Times
e.g. Smith St	Intersection of Jones Ave	Intersection of Main Road	From: 10:00am 02/07/2020
			To: 4:00pm 02/07/2020
			From:
			To:
			From:
			To:
			From:
			To:
			From:
			To:
			From:
			To:

If required, additional pages may be attached and a Map or Sketch should be included

Public Liability Insurance

Please note that a minimum \$10 million public liability insurance cover is required

Insurer Name:

Certificate of Currency Number:

Expiry Date:

Amount of Cover:

Certificate of Currency attached:

☐

Yes

☐

No

Please refer to Terms and Conditions - Insurances and Indemnities and Public Liability Insurance - Obligation to Insure

Traffic Management Plan

Please note that a Traffic Management Plan completed by a qualified person to AS 1742 Manual of Uniform Traffic Control Devices suite of standards is required for all road closure applications

Traffic Management Plan attached:

☐

Yes

☐

No

Traffic Management Plan prepared by:

SafeWork NSW PWZTMP certificate number:

Traffic Control Plan/s to be installed/supervised by:

Implement Traffic Control Plan/s certificate number:

Is a Road Occupancy Licence from Traffic for New South

☐

Yes

☐

No

Wales required (only for Classified Roads):

TfNSW ROL attached:

☐

Yes

☐

No

Is a Notice to Hold a Public Assembly from New South

☐

Yes

☐

No

Wales Police attached:

Risk Management Plan

Please note that a Risk Management Plan is required for all road closure applications and where applicable should address, as a minimum, the following:

Crowd management	Animals	Venue specific hazards
Security arrangements	Electrical and gas safety	Contractors safety plans
Slips, trips and falls hazards	Amusement structures	Emergency evacuation plan
Transport/traffic/road closures	Sharps and syringes	Communications
Food safety	Water hazards	Fireworks
Responsible alcohol management	Tree hazards	Aircraft (helicopters) landing areas
Electrical installations	Temporary structures/stages	Sun protection/shade
Contractor certificates of currency	Vehicle movements	
Risk Management Plan attached:		☐ Yes ☐ No

Public Consultation Plan

Describe how residents, businesses and affected road users will be advised of any road closures prior to the event:

Advertising of Road Closures

Please note that all road closure events are required to be advertised

Do you require Council to advertise the Road Closure on your behalf (advertising of road closure/s shall be at Applicant's cost and will be Invoiced):

☐

Yes

☐

No

Are you advertising the Road Closure:

☐

Yes

☐

No

If Yes, Copy of intended advertising notice is required by Council:

Copy of advertising attached:

☐

Yes

☐

No

Terms and Conditions

Upon the granting of a Permit, Road closures must be conducted as per the terms and conditions as set out below:

Acts and Regulations

The Applicant shall observe and conform to the requirements of all Statutory rules, provisions and Regulations of the Commonwealth of Australia and/or the State of New South Wales for the time the Permit is in force, and shall be liable for any breach of such Acts or Regulations.

Compliance with Plans

The Applicant will comply with its Traffic Management Plan, Risk Management and any additional Conditions that may be contained in the Permit.

Permission to Occupy

The Applicant shall only be entitled to occupy and use the particular part or parts of the Road as identified in the Permit, on the dates and at the times and for the purposes allowed by the Permit.

Council reserves the right to cancel the Applicant's use of a Road on a date shown in the issued Permit.

Council will not be liable for any loss or damage sustained by the Applicant in the event it determines to cancel the Applicant's use of a Road on a date shown in the issued Permit.

Council will immediately cancel the Permit and will not allow the Applicant access to or occupation of any part of the Road in the event that the insurance and indemnity requirements of this Application have not been completed, are inadequate, or have lapsed.

Insurance and Indemnities

The Applicant shall not do, or neglect to do, or permit to be done or left undone, anything which will affect the Council's Insurance Policy or Policies in connection with the closure and use of this Road and the Applicant hereby agrees to indemnify the Council to the extent that such policies are affected by commission or omission.

Public Liability Insurance – Obligation to Insure

The Applicant shall, at all times during the event, be the holder of a current Public Liability Policy of insurance ("The Public Liability Policy") in respect of activities specified in the Application for Use of the Road in the name of the Applicant providing coverage for an amount of at least \$10 million.

The Public Liability Policy shall cover such risks and be subject only to such conditions and exclusions as are approved by the Council and shall extend to cover the Council in respect to claims for personal injury or property damage arising out of the negligence of the Applicant.

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The Applicant agrees to indemnify and to keep indemnified the Council, its servants and agents, and each of them from and against all actions, costs, claims, charges, expenses, penalties, demands and damages whatsoever which may be brought or made or claimed against them, or any of them, arising from the Applicant's performance or purported performance of its obligations under this Application and be directly related to the negligent acts, errors, or omission of the Applicant.

The Applicant's liability to indemnify the Council shall be reduced proportionally to the extent that any act or omission of the Council, its servants or agents, contributed to the loss or liability.

The Applicant agrees to hold harmless the Council, its servants and agents and each of them from and against all actions, claims, charges, expenses, penalties, demands and damages whatsoever which may be brought about or made or claimed against it by any of them arising out of or in any way related to the granting of the Permit and/or the use of the Road.

Equipment and materials owned, purchased or supplied by the Applicant and brought onto the Road, other than items deemed to form a fixture or fitting of the facility, remain the property of the Applicant and are not the responsibility of the Council.

Personal belongings, money or private property brought onto the Road by any person are not the responsibility of the Council.

Neither the Council or its servants and agents shall be liable for any loss or damage sustained by the Applicant or any person, firm or corporation entrusting to or supplying any article or thing to the Applicant by reason of any such article or thing being lost, damaged or stolen. The Applicant indemnifies the Council against any claim by such person, firm or corporation in respect of such article or thing.

Patron and Public Behaviour

The Applicant is responsible for maintenance and preservation of good order and the supervision of all persons on the Road during the approved period/s of occupancy and use, and shall take appropriate measures for participant and crowd behaviour and control so as to ensure the safety and security of persons and property within and adjacent to the Road.

Suitability for Use

The Applicant must satisfy themselves that the Roads are safe and suitable in all respects for the approved purpose. While the Council will take all reasonable measures to ensure the Road is suitable for and remains safe and fit for the approved purpose of use by the Applicant, a final decision on whether to proceed to use on each occasion is the responsibility of the Applicant. In this regard the Applicant must complete and make a written record. The record of inspection must be kept in the records of the Applicant.

Cleanliness and Security

The Applicant is responsible to leave the Road in a clean, tidy and secure manner and must immediately after the conclusion, remove all rubbish and waste from the area for disposal in an approved waste receptacle.

Damage

The Applicant will accept full responsibility for abuse, damage, destruction or loss of Council property except for normal wear and tear and for damage to property caused by the use of the Road.

The Council will not be liable for any loss or damage sustained by the Applicant or any other person arising from a decision by the Applicant not to use or to discontinue its use of the Road.

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Road Closure Costs to be borne by the Applicant

Unless stated otherwise in writing, all costs of conducting the event, preparing the Road closure documentation and complying with the Permit are to be borne by the Applicant.

Inspections and Access by Council

The Applicant shall provide the Council and its officers and agents with reasonable access to the Road during the period of use.

Assignment

The Applicant must not assign the right of occupation and use approved under the Permit to any other person, organisation or body.

Disputes

In the event of any dispute or difference arising as to the interpretation of the Permit or as to the question of compliance by the Applicant, the matter shall be referred to a person nominated by the General Manager, and the decision of that person shall be final notwithstanding the right of each party for recourse to a process of judicial determination.

Undertaking of Application and Permit

By completing the following section, you are accepting the Terms and Conditions associated with the road closure as set out above. Should this application be approved other special conditions may also apply and these will be set out in the Permit.

Declaration

I/We hereby make application for use of the Road for the dates and times specified and acknowledge having received and read the Terms and Conditions of use, and undertake to be bound by, and comply with such Terms and Conditions, and any other requirements advised in the Council's Permit in every respect, and I further undertake to be responsible for ensuring that all individuals or groups using the Road in association with the event comply with the Terms and Conditions.

I/we accept full responsibility for public safety and for injury to any person and damage to any property which may occur during the carrying out or as a consequence to the event under the Permit.

Signature:

Date:

A copy of this Application should be retained by the Applicant, as the Terms and Conditions contained herein form part of any Permit approved under this Application.

This application can be presented to Council's Administration office at 265 Grey Street, Glen Innes. Alternatively, a pdf of the application can be forwarded to council@gisc.nsw.gov.au. Please ensure you include a contact phone number. A Customer Service Officer will contact you and payment by Credit Card can be arranged.

Office Use

Application Fee: \$

Receipt Number:

Received by:

Dated: