Cessnock City Council
Fact Sheet
Road Events / Activities and Associated Temporary Road Closures

Fact Sheet Owner: Design Delivery Manager

Relevant Legislation: Roads Act Section S115, S116, S122, S144

Related Policy: Not Applicable

1. Aims:
Special events and activities help boost the local economy; bring people together to share, learn, and have fun; and create a strong sense of community. Cessnock City Council recognises the importance of events held within its local government area.

Sometimes these take place on public road reserves. Cessnock City Council aims to support the safe use of public road reserves by assessing applications and granting consent for appropriate road events. This fact sheet relates to regulation of traffic and temporary road closures for events and activities.

2. Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Public Road Reserve</td>
<td>A public road reserve is the area including the road surface, its shoulders, gutters, verges, footpaths and nature strips - the entire space between property boundaries across the roadway.</td>
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<tr>
<td>Classified Road:</td>
<td>Classified roads are State and Regional Roads and are shown on the State &amp; Regional Roads Map. All other roads not highlighted on the map are Local Roads.</td>
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<tr>
<td>Unclassified Road</td>
<td>A public road that is not a classified road, under the administration of the Council. Otherwise known as a Local Road</td>
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<tr>
<td>Events &amp; Activities</td>
<td>Any activity within the road reserve such as outdoor entertainment, exhibitions, festivals, parades or sporting events (for example, marathons, cycling events) that will affect the normal movement of people and vehicles within the road reserve.</td>
</tr>
<tr>
<td>Temporary Road or Lane Closures</td>
<td>The closure of a specific length and width of public road reserve or lane, to all traffic, so that external road users are excluded from accessing the closed area, for a specific period of time in which the event occurs.</td>
</tr>
<tr>
<td>Roads Act Permit / Temporary Road Closure for events</td>
<td>Council may issue a permit or approval under Section 115,116, 122 or 144 of the Roads Act 1993, to regulate traffic or temporarily close a public road.</td>
</tr>
<tr>
<td>Police Controlled Event</td>
<td>An event that is conducted entirely under Police control, such as an Anzac Day march. Depending on the nature of the event, may invoke the police ‘User Pays’ policy.</td>
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<tr>
<td>Public Assembly</td>
<td>According to the Summary Offences Act 1988 Section 22, a Public Assembly is: “an assembly held in a public place, and includes a procession or march”</td>
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</table>
3. Consent from Cessnock City Council

Depending on the nature of your event, you may be required to submit more than one type of application for Council’s approval. The information in this section outlines the instances where you may need to seek Council’s consent, in addition to approval for temporary road closure.

3.1. Development Consent

You will need to lodge a development application with Council, if more than 500 people will be involved in the event or activity, before seeking approval under the Roads Act.

See the Understanding Temporary Events Fact Sheet.

3.2. Roads Event Permit

As the road authority, Cessnock City Council is responsible for, and gives permits for, events on unclassified roads. Council issues consents under various sections of the Roads Act, depending on the nature of the event and the extent of the temporary changes to the road and traffic environment.

A permit is required if a community event, party or gathering where the activity requires temporary regulation of traffic, affecting the safety of traffic or pedestrians, or the travelling public not involved in the event.

3.3. Roads Act Approval

A Roads Act approval is required if a community event, party or gathering where the activity requires a Temporary Road Closure, affecting the safety of traffic or pedestrians, or the travelling public not involved in the event.

Works within the road reserve are covered by Section 138 approvals in the Roads Act Application Form.

3.4. Temporary Food Business

You need to have a current ”Temporary Food Business” approval from Council to conduct any activity involving the dispensing of food, regardless of the type of food, the manner in which it is prepared or handled, the scale of the event or the number of persons expected to attend.

For more information about seeking approval for a Temporary Food Business, see the Temporary Event Guidelines Fact Sheet.

3.5. Outdoor Dining

You need Council’s consent to conduct outdoor dining on the road reserve. For more information about outdoor dining approvals, see the Footway Restaurant Information Kit.

4. Consent from Other Authorities

Depending on the type of event or activity you intend to hold, you may need prior approvals, consents, permits or licences from other authorities before Cessnock City Council can issue approval under the Roads Act 1993.

The information in this section outlines the various circumstances in which you need content from other authorities.
4.1. **Roads and Maritime Services (RMS)**

**Road Occupancy Licence**
Events on Classified Roads require a Road Occupancy Licence Application (ROLA) before Cessnock City Council can issue approval for a road event temporary road closure. Applications for ROLs can be lodged with RMS using the RMS Road Occupancy Licence Application.

To determine if your proposed location is situated on a Classified Road, view the State and Regional Roads Map. Unclassified Roads are under the administration of Council and do not require a ROLA.

4.2. **NSW Police Force**

**Notification to Hold Public Assembly**
A notice of intention to hold a gathering or public assembly, in accordance with the Summary Offences Act 1988, is to be provided to NSW Police before Cessnock City Council can issue approval under the Roads Act for events where people will gather within the road reserve, on a road related area such as a car park.

Complete a Form 1 - Notice of Intention to Hold a Public Assembly and lodge it at any local Police Station.

**Approval to Conduct Event**
If your proposed event will take place on a road under the control of the Police, you will need approval from the NSW Police. In this instance an application to Council is not required however Council should be notified in writing.

A Police permit is also required for an Anzac Day march, any procession or parade. See NSW Police User Charges (User Pays) Policing Services.

**Competition or Racing**
Approval under Section 115 of the Transport Administration Act is required from the NSW Police before approval is issued under the Roads Act for events using a road, or a road related area, for competition, racing, time trials, driver trials or vehicle handling.

4.3. **Screen Hunter Central Coast**

**Filming Approval**
Screen Hunter Central Coast is the initial receiving body for filming applications in the Hunter and Central Coast regions. Filming from static positions within road reserves or from moving vehicles (including un-manned flying devices) requires a Roads Event permit.

On notice from Screen Hunter Central Coast that a filming application for the use of a road has been received, Council may issue a permit under the Roads Act.
4.4. **Local Land Services**

**Grazing or Movement of Stock**

A stock permit from Local Land Services is required, to graze or move livestock within any road reserve, while specific traffic management consents are required from RMS for classified roads and Cessnock City Council for local roads.

5. **Requirements**

As well as requiring prior approval from other authorities, Cessnock City Council has concern for the public safety, amenity and convenience of the general public during the event and will require event organisers to provide the following information.

5.1. **Dates, Times and Details of Event**

Details of the contact information, dates, times, location or a site diagram, anticipated number of participants, organisers, volunteers and spectators of your proposed event will assist Cessnock City Council to determine the impact of the event on other road users.

5.2. **Site Identification**

**Site Diagram**

Temporary road closure applications need a diagram to show the location, size of tables, displays or the like, space for pedestrians, access to properties and encroachments into parking and traffic lanes. This should be included in the Traffic Management Plan.

5.3. **Safety**

Your application should be supported by a traffic management plan, traffic control plan, risk assessment and public liability insurance.

**Traffic Management Plan**

Your traffic management plan should be prepared by a suitably trained and accredited service provider or traffic consultant. It should set out, in detail, all aspects of the event including:

- Contact details of the organiser and all personnel;
- Relevant approvals, consents, permits or licences from other public authorities or agencies;
- Consultation with property / business owners of property over which the activity / event occurs or adjoins;
- Emergency services engagement and access;
- Public transport impacts and mitigation measures;
- Emergency contacts;
- Access impacts to properties on the route;
- On street parking impacts;
- Staff / volunteer / marshal duties and locations;
- Event staging / time schedule;
- Maps, plans, sketches or any other technical details associated with the event.
Traffic Control Plans

Any traffic control plans should be prepared by a suitably trained and accredited service provider or traffic control company representative in accordance with the RMS Traffic Control at Worksites Manual or Australian Standard 1742. It should set out all details of signage, delineation, pavement markings and all other ancillary devices required to manage the safe passage of all road users at the proposed event site.

Your traffic control plan must show the company name as well as the name, accreditation number and signature of the person who prepared the plan. Ensure the plan version and date that the plan was prepared or modified is shown.

Risk Assessment

A risk assessment, which may be part of the Traffic Management Plan, should be prepared by a competent person, using a Risk Assessment Worksheet to identify issues during the event such as:

- Inherent safety hazards and risks on the event site;
- Measures to eliminate or mitigate the risk of harm or injury;
- Access restrictions or obstacles that may impact road users;
- Noise, light or odour that may impact road users;
- Measures to eliminate or mitigate the risk of loss or amenity or any inconvenience.

For a sample template see the NSW Family and Community Services Volunteering Risk Assessment Worksheet

Public Liability Insurance

The organiser is required to provide evidence of insurance cover (e.g. certificate of currency) demonstrating that Public Liability Insurance is held that includes:

- cover to the value of $20 million for any one event (unless RMS requires a higher value for some classified roads);
- notation of the location of the risk;
- the intended period of the event;
- notes Cessnock City Council is an “Interested Party” in the event.

6. Applications

6.1. Temporary Road Closure Form

To apply for Roads Act approval from Cessnock City Council, complete and lodge a Road Event / Activity Application Form.

6.2. Roads Act Application Form

For approval to undertake works requiring road or lane closure, also lodge a completed Roads Act Application Form.

6.3. Development Application Form

Applications for development consent can be lodged with Cessnock City Council using the Development Application Form. Please note that applications are assessed under Section 79C of the Planning & Assessment Act 1979 by Council’s Development Services Section.
6.4. **Lodgement**

Applications forms can be lodged by event organisers:
- In person, between 9.00am and 4.00pm at Cessnock City Council Customer Service, Cessnock City Council Administration Building, 62-78 Vincent Street Cessnock;
- By post, addressed to Cessnock City Council, PO Box 152 CESSNOCK NSW 2325;
- By emailing or scanning / emailing to council@cessnock.nsw.gov.au.

6.5. **Fees**

Application fees, calculated in accordance with the current [Fees & Charge](#), are payable on lodgement and can be made:
- In person by cash, EFTPOS, cheque or money order (made payable to Cessnock City Council or credit card between 9am and 4.30pm at CCC Customer Service;
- By telephone (4993 4300), using credit card;
- By mail, using cheque or money order, made payable to Cessnock City Council.

7. **Assessment**

7.1. **Assessment Process**

Council’s application forms provide a checklist of relevant information. Once completed and lodged, the application provides Cessnock City Council with all the relevant information for the proposed event.

On occasion, Council staff will inspect the site of the event or activity and assess the application in consultation with internal departments and external stakeholders such as NSW Police RMS and bus providers.

Council assesses each application referring to documents submitted with the application form, and in accordance with the checklist on the reverse side of the application form and the requirements that are outlined in this Fact Sheet.

7.2. **Timeframes**

Applications for non-works related events or activities involving temporary road closures can take up to sixteen (16) weeks, depending on the timing of its lodgement and the Local Traffic Committee / Council meeting schedule.

The table below sets out the lead time that applications must be lodged prior to the event for different classes of events:

<table>
<thead>
<tr>
<th>Event Size</th>
<th>Minimum Lead Time</th>
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<tbody>
<tr>
<td>More than 500 participants and spectators</td>
<td>16 Weeks</td>
</tr>
<tr>
<td>500 or fewer participants and spectators</td>
<td>8 weeks</td>
</tr>
<tr>
<td>Police Controlled Event</td>
<td>4 weeks</td>
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</tbody>
</table>
7.3. Advertising & Public Notification

Applications for non-works related events or activities on roads involving temporary road closures require advertising for comment in accordance with Section 116 of the NSW Roads Act 1993 in the local press, by notification to public transport / public utility / emergency services authorities and to all residents / businesses deemed affected.

Applications require advertisements to be placed in local newspapers seeking comments for 28 days.

Police Controlled Event advertising is determined by NSW Police.

8. Notification

Assessment can take up to 16 weeks, depending on the nature and complexity of the application.

Applications are approved when a signed approval letter is issued by Council. Approvals are valid in accordance with the terms and conditions contained in the approval.

9. Frequently Asked Questions

Some Frequently Asked Questions may assist with your event planning (TBA)