

Applicant Name:
K J Chilvers

Our Reference: 710.2024.00006247.001
Contact: Port Macquarie-Hastings Council
Phone: (02) 6581 8111

NOTICE OF DETERMINATION OF ROADS ACT APPLICATION

*Issued under the Roads Act 1993, Section 144; and under
the Local Government Act 1993, Section 68, Part E.*

Under the Roads Act 1993, Council has APPROVED the use of public road in accordance with the documents submitted for the works requiring temporary road closure/s for the following:

Name of Activity:	Temporary Road and Footpath Occupancy
Time/Date of Activity:	1 and 2 March 2025 - various times as defied within the Traffic Management Plan prepared by Men and Women at Work, dated 30/10/2024
Type of Activity:	Port Macquarie Runfest 2025
Road Reserve Fronting:	Town Square, Short Street, Buller Street, Hollingworth Street and Park Streets Port Macquarie
Determination:	APPROVED
Date of Determination:	TBA

Port Macquarie–Hastings Council (being the Road Authority) consents to K J Chilvers undertaking the proposed work subject to the conditions detailed below. Conditional consent is provided.

By the commencement of works you are agreeing to all the conditions described below.

Details of Conditions:

GENERAL CONDITIONS

1. That the event organiser notifies Port Macquarie - Hastings Council of the dates and times of the event and associated road impacts at least 14 days in advance of the event. The proposed work must be confined to the Public Road boundaries as nominated on the plans and specifications submitted with the application.
2. This consent is valid for twelve (12) months from the date of determination. The applicant is to contact Council for any extension or further approvals.
3. That the event organiser advertises, at no cost to Council, the following details of all temporary road closures and temporary parking restrictions associated with this event in the local print media on separate days, at least twice (2) within 14 days prior to the event:
 - a. location, times, and duration of event,
 - b. temporary traffic management controls, times, and duration
 - c. alternative routes and access arrangements.
4. That the event organiser advertises the event by undertaking a letter box drop to all residents and businesses directly affected by the temporary road closures and temporary parking restrictions at least 14 days prior to the event, advising the following:
 - a. event name
 - b. event times
 - c. contact details of at least two (2) people involved in the organisation of the event, in case of an emergency.
5. That the event organiser abides by the written approval from the NSW Police.
6. That the event organiser notifies the NSW Ambulance, NSW Fire & Rescue, NSW Rural Fire Service, and the State Emergency Service of the proposed traffic management arrangements at least 14 days in advance of the event.
7. That the event organiser notifies local Transport Services (Bus Companies, Taxis) of the proposed traffic management arrangements at least 14 days in advance of the event and assists in developing alternatives for affected users.
8. TfNSW/SafeWork NSW accredited persons (Implement Traffic Control Plans) are to be used for the establishment and removal of the traffic control devices.
9. TfNSW/SafeWork NSW accredited traffic controllers (Traffic Controller) are to be used to control traffic.
10. That the event organiser abides by any other condition that Council or the Police may impose at any time.
11. The event organiser must have this approval on site for the duration of the event.
12. That a review of the implementation of the Traffic Management Plan (TMP) be undertaken by the proponent within three months of the conclusion of the event. The review is to be in consultation with Council and other services so that the TMP can be further refined, and any issues identified can be addressed prior to any future events.
13. The activity shall be carried out in accordance with the application submitted to Council except where varied by any condition of this approval.
14. The applicant agrees to indemnify Port Macquarie-Hastings Council from and against all actions, costs, claims, and damages which may be brought or claimed against the Council arising out of or in relation to the approval of this application. The applicant shall maintain a current public liability insurance policy for the value of \$20 million for the duration of works.

15. The applicant agrees that Council has no responsibility or liability for any loss or damage to the applicant's fixtures or fittings or personal property.
16. Any damage to paths, roadways or other public facilities used in conjunction with the activity is to be repaired by the applicant at no cost to Council.
17. The applicant must comply with any Act, Regulation, Council policy, code or protocol relating to the works.
18. Operations to be undertaken in such a manner so as not to cause undue hindrance to pedestrian and vehicle access for the duration of the work.
19. This approval does not confer on the applicant any exclusive right, entitlement or interest in the Public Road and access is not to be denied to the general public.
20. Noise is to be controlled as required by the "Protection Of The Environment Operations (Noise Control) Regulation 2008".
21. All public enquiries regarding aspects of the road works or related traffic diversions are to be addressed by the applicant in a timely manner.
22. Council reserves the right to cancel this approval at any time.

SITE SPECIFIC CONDITIONS

23. The applicant is responsible for safety induction of all persons onto the site. The applicant or contractor is responsible at all times for ensuring safe systems of work and that the work site poses no work health or safety risks to workers or the public.
24. All persons engaged in any work relative to this approval must be qualified, trained or appropriately experienced in the work involved and the safe operation of associated tools or machinery. Relevant advice should be obtained from Safe Work NSW.
25. Trainees are to be under the direct supervision of a trained instructor at all times.
26. The site is to be maintained and left in a clean and tidy condition at the completion of each day. Materials and vehicles shall be stored safely and in an appropriate manner.
27. The activity shall provide for adequate pedestrian and motorist access throughout the road reserve. In this regard,
 - a. The applicant will not alter traffic flow unless they have provided a certified copy of a Traffic Management Plan and or Traffic Guidance Scheme prepared by a person accredited as of 1 July 2020 a NSW Safe Work, WorkCover licenced person, detailing the devices required to control traffic movements during the course of this activity.
28. The following traffic management requirements be implemented. Any modifications to the items listed below must be agreed with Council prior to the commencement of work or the running of this event.
 - a. Traffic Management Plan prepared by Men and Women at Work, dated 30/10/2024
29. The applicant shall not:
 - a. Cultivate the land.
 - b. Erect structures on the land or undertake any construction or other work on the land other than those specifically approved as part of this application (with the exception of a post and wire fence along the boundary)
 - c. Dump any garden waste or other materials.
 - d. Store any materials or vehicles on the land unless in a safe and appropriate manner.
 - e. Soil disturbance must be kept to a minimum. Areas of soil disturbance must be monitored for weed invasion. Weeds that occur as a result of these works must be

controlled and removed. All topsoil must remain on the soil surface. Maintenance to be undertaken as required minimising the potential for erosion.

30. The event Co-Ordinator must be onsite and have the documentation always listed below in their possession on site for the duration of the works.
 - a. This determination document.
 - b. Insurance, Certificate of Currency.
 - c. Notice to affected residents and/or businesses.
 - d. Risk Assessment documentation.
 - e. Traffic Management Plan and Guidance Scheme(s).

The above conditions are imposed in conformity with Chapter 7 of the Local Government Act, 1993, and the Local Government (General) Regulation 2005 and with Council's current Codes and Policies.

Advice: This approval is effective from 2 March 2025 to 2 March 2026.

You may make a request to Council within a period of twenty-eight (28) days to review the determination of your application. If you are dissatisfied with the determination of Council in respect to your application you may appeal under Section 176(1) of the Local Government Act, 1993, to the Land and Environment Court within a period of twelve (12) months from the date of this determination.

Yours sincerely

Mark Edenborough
Manager Planning and Design Programs
Community Infrastructure