

# SUBDELEGATION TO THE CHIEF EXECUTIVE OFFICER UNDER THE ROAD TRAFFIC ACT 1961

Made in accordance with the Instrument of General Approval and Delegation to Council dated 22 August 2013 from the Minister for Transport and Infrastructure.

1. On 22 August 2013 the Minister for Transport and Infrastructure issued an Instrument of General Approval and Delegation Council (the 'Instrument') containing:

1.1 General Approvals by the Minister to the Council in accordance with Section 12 of the Road Traffic Act 1961 (the 'Act') for the purposes of the Act; and

1.2 delegations pursuant to Section 11 of the Act, by the Minister to the Council for the purposes of the Act.

This document contains Subdelegations made by the Council to the Chief Executive Officer of the Council, pursuant to the terms of the Instrument. The Instrument contains certain conditions, exceptions and requirements, and this document must be read in conjunction with the Instrument

## SUBDELEGATION TO THE CHIEF EXECUTIVE OFFICER UNDER THE ROAD TRAFFIC ACT 1961

Road Traffic Act 1961	
Item Delegated	Conditions and Limitations
<p>POWER TO CLOSE ROADS AND GRANT EXEMPTION FOR EVENTS</p> <p>2. The power pursuant to Section 33(1) of the Act to declare an event to be an event to which Section 33 of the Act applies and to make orders directing:</p> <p>2.1 that specified roads (being roads on which the event is to be held or roads that, in the opinion of the Delegate, should be closed for the purposes of the event) be closed to traffic for a specified period; and</p> <p>2.2 that persons taking part in the event be exempted, in relation to the specified roads, from the duty to observe the Australian Road Rules specified in Clause G.4 of the Instrument, subject to the conditions in Clause G.5 of the Instrument.</p>	<p>This provision is directly delegated to the CEO by the Minister for Transport and Infrastructure. This provision cannot be sub-delegated and the following limitations apply:</p> <p><u>G.5 Conditions on Exemptions from Australian Road Rules</u> Council may only grant exemption from the following Australian Road Rules provided any such exemption contains the following minimum conditions:</p> <p><u>Rule 237</u>: Getting on or into a moving vehicle - provided the speed of the vehicle does not exceed 5 km/h;</p> <p><u>Rule 264</u>: Wearing of seat belts by drivers - provided the speed of the vehicle does not exceed 25 km/h;</p> <p><u>Rule 265</u>: Wearing of seat belts by passengers 16 years old or older - provided the speed of the vehicle does not exceed 25 km/h;</p> <p><u>Rule 266</u>: Wearing of seat belts by passengers under 16 years old - provided the speed of the vehicle does not exceed 25 km/h;</p> <p><u>Rule 268</u>: How persons must travel in or on a motor vehicle - provided the speed of the vehicle does not exceed 25 km/h;</p> <p><u>Rule 269</u>: Opening doors and getting out of a vehicle etc - provided the speed of the vehicle does not exceed 5 km/h;</p> <p><u>Rule 298</u>: Driving with a person in a trailer - provided the speed of the vehicle does not exceed 25 km/h.</p>