



ENDURANCE

TMP Update to Members

What are some of the Issues Clubs are Facing

1. Some Councils require a TMP (Traffic Management Plan) for all road ride usage. This will vary between councils however the council are the RCA (Road Controlling Authority) so what each Council agrees to goes.
2. The Cost of a STMS to be onsite is becoming cost prohibitive making it unsustainable to ensure the ride at least breaks even
3. Some uncertainty around when should there be a TMP and or who is liable in the event of an incident.



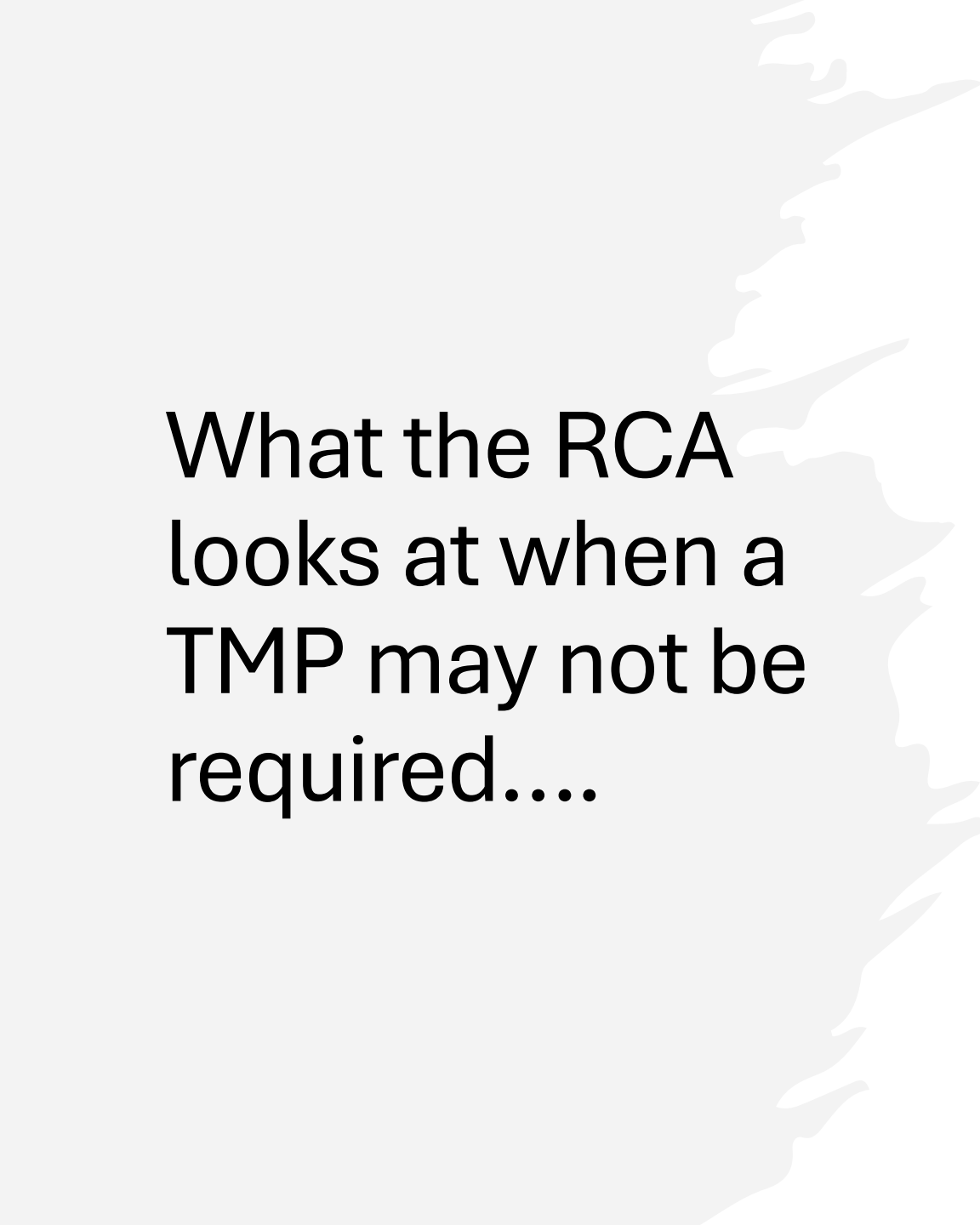
What does the RCA look at when considering whether a TMP is required

- Where the activity is competitive, and participants are unlikely to obey the road rules, the Organisers would need to consider a TMP.
- A TMP is required for planned events that vary the normal operating conditions of the road.

These may include:

- Race or large fun ride, run or walk
- Parade
- Off road activity affecting the road (e.g. opening of a shopping mall, concerts, large markets)
- Street fairs





What the RCA looks at when a TMP may not be required....

Planned activities that MAY NOT require a TMP include:

- Non-competitive activities such as training ride, run or walk where participants are following the road rules and not varying normal operating conditions of the road
- Small fun/charity ride, run or walk organised so that the activity does not vary the normal operating conditions of the road.

However, there remains a Duty of Care which includes consideration of the following:

- A safety plan (risk management)
- Compliance with road rules
- Volume of traffic
- Speed of traffic
- Width of carriageway
- Availability of footpaths
- The use of signalised pedestrian crossings
- Age and experience of participants.

What Should Clubs do when Organising their Event

Plan the track **well in advance** to allow sufficient time to liaise with the Local Council as to whether they require a TMP

- Don't just ask if a TMP is required for event - talk to the person responsible about the level of event you want to ride. After understanding the level of event, and whether you have enough steps in place, there are situations where they may not to require a TMP.
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You must confirm by email to include in the schedule submitted to the TC.

- Should you require assistance in talking to the Council, feel free to contact the Board (we are here to help Clubs where possible)

Steps that Clubs have put in place that should be relayed to the Council

All riders agree to comply with road rules at all times and agree not to stop or change the flow of traffic

All riders sign a waiver after the Ride Brief agreeing to follow all road rules etc

Using low volume roads (not main roads or highways) and using roads with wide country verges

Ensure the Club running the ride has a Risk Management Safety Plan in place (required as part of the schedule)

The TD at the Ride Brief must talk through all of the above and each competitor will agree to this

ESNZ Technical Committee Response around Liability

1. The event waiver that riders sign on EVO. In this Riders absolve all liability of the OC. Who wrote this and is it legally binding?

- Not complete protection from liability
- Doesn't mean a lot for personal injury.
- You can not contract outside of the law.

2. The Club OC is covered by the public liability insurance of ESNZ (if unincorporated) to the tune of \$1 million

3. If a rider breaks road rules and an accident occurs on the road with a vehicle, with whom does the liability sit?

As long as the OC and Officials make sure they comply with local council rules for roads, have briefed riders, and taken into consideration the risks on the day (which could be environment, conditions), they should not be held liable.



Example of Good Communication

Hi Gary

Following up on our conversation last week, I have attached a map of where we anticipate we will be using the road.

Waitaki Endurance Club are holding an Endurance ride February 2024. The venue is Kyeburn Downs and Kyeburn Station.

All Riders must obey road rules at all times or will be disqualified. Normal operating conditions of the road are not varied.

We would need to use the road verge for a very small distance to access another Station, possibly on Ridge Road, which is a very low usage road. Also, possibly a small part of Swinbourne Back Road.

The Club has its own legal event signs and can provide a Marshal to check for traffic before riders can cross if needed.

We also have a Technical Delegate in charge of the track, who checks that the signs are still erect and where they should be all day.

Endurance is a solo sport so in most cases there would only be one rider, on the road verge at one time. The road verge is very wide

(more than 5 metres)

All riders wear Hi Viz and all locals are notified when and where we will be riding .

We are hoping to host this ride for the benefit of the community. The local school is providing food and support as a fundraiser. We do not make any profit and rely on grants to run the ride, so for it to go ahead, costs need to be kept to a minimum.

I appreciate you taking the time to look at this and am looking forward to your response.

Gary is from Fulton Hogan Central Otago/ District Lakes

Response

Hi Vicky

You mention that normal operating conditions of the road are not changed, therefore you do not require a Traffic Management Plan. Looking at the map you really are in the back of beyond so shouldn't be encountering too much traffic. I'm happy to run this past CODC if you want but from what you have put in the email you have thought of everything. I don't think you require our services however if you need any extra gear such as cones, direction arrows, event signs etc then ring out nearer the time and I'll get some out to you.

If you have any further questions, please don't hesitate to get back to me.

Regards

Gary (Fulton Hogan Central Otago)

Confirmed by Central Otago District Council



Useful Links and Resources

NZTA – Guidelines for temporary Traffic Management at events

Some Councils will Grants Available for Clubs to Apply here is the Link for Ashburton District Council –

<https://www.ashburtondc.govt.nz/ashburton-district/grants-and-funding/grants>