

**Item 38.**

**Schedule of Conditions**

**Attachments**

Schedule of Conditions:-

- (A) On Street Event Conditions
- (B) Temporary Road Closure Conditions
- (C) Works Zone Conditions



## Schedule A

### On Street Event Conditions

1. The Applicant must carryout letterbox drops to all affected properties at least seven days prior to the start of road closures, and resolve any issues that may arise and all representations made by the affected properties.
2. The Applicant must provide a telephone number of the supervisor responsible for the proposed event and include these contact details in the notification letters to affected properties.
3. All costs associated with the event are to be borne by the Applicant.
4. The Applicant shall indemnify and keep indemnified The City of Sydney against all claims, demands, suits, actions, damages and costs incurred by or charges made against The City of Sydney in respect to death or injury to any person or damage in any way arising from this event.
5. The Applicant will be required to reimburse The City of Sydney for the cost of repair of any damage caused to the public way as a result of the activities associated with this event.
6. A public liability insurance policy for an amount not less than \$20,000,000 for any one occurrence must be held in joint names including The City of Sydney as an interested party – the Applicant of this event must inform its liability insurers of the terms of this Condition.
7. The Applicant must close roads in accordance with Roads and Maritime Services (RMS) Traffic Control at Worksites Manual (AS1742.3) and the approved Traffic Management Plan unless otherwise directed by Police, RMS or authorised City officers.
8. The Applicant must at all times provide a 4-metre wide emergency lane along the road to be closed.
9. The Applicant must not occupy the road or footway until the road closure and associated Traffic Management Plan has been implemented.
10. The Applicant must use RMS Accredited Traffic Controllers to manage pedestrian and traffic safety during the event.
11. Where possible local access to properties shall be provided and an Accredited Traffic Controller be provided to manage the traffic ingress and egress at the location to ensure pedestrian and traffic safety.
12. The Applicant must notify emergency services (namely NSW Police Service, Fire and Rescue and NSW Ambulance Service) of the proposed temporary road closure at least seven days prior to the event.
13. The Applicant must remove all barriers and signs associated with the road closure at the times nominated to reopen the street to traffic.
14. The Applicant must place an advertisement in a Sydney metropolitan newspaper at least seven days before the closure.
15. The Applicant must contact the Transport Management Centre to confirm if a Road Occupancy Licence (ROL) is required.

16. The Applicant must where practical make alternate parking arrangements for affected properties during the event.
17. The Applicant must advise car share operators of the approved closure seven days before the road is closed if a car share vehicle parking bay is located in the street.
18. The City reserves the right to revoke this road closure approval at any time without any compensation to the Applicant.

## Schedule B

### Temporary Road Closure Conditions

The Applicant and their representatives:

1. Must carry out letterbox drops to affected tenants, occupants, building managements and emergency services at least 14 days prior to the commencement of the road closure and include contact details for the supervisor. The Applicant must resolve, to the satisfaction of the City, any issues that may arise and all representations made by affected tenants and occupants.
2. The Applicant must provide local access, where practical, for nearby affected properties.
3. Roads must be closed in accordance with AS1742.3 and the approved Traffic Management Plan, unless otherwise directed by Police or authorised City officers.
4. Before the road closure is implemented the Applicant **MUST** contact the City's Construction Regulations Unit on 9265 9333 to obtain the relevant permits.
5. Must not occupy the carriageway or footway of the road until the road closure has been implemented.
6. Must at all times provide a 4-metre wide emergency lane along the closed road. If the emergency lane cannot be provided, then the Applicant must discuss it with Emergency Services (namely Police, Fire Brigade and NSW Ambulance) and provide an alternative emergency access arrangement to their satisfaction. All services (fire hydrants etc) must be kept free of any obstructions.
7. Must provide and maintain appropriate and adequate traffic measures (including detour signs and flagmen) for the safe movement of traffic and pedestrians.
8. Must remove all barriers and signs associated with the road closure at the times nominated to reopen the road to traffic.
9. Must indemnify the City against all claims for damage or injury that may result from the activity or occupation of part of the road or footpath during the activity. The applicant must provide documentary evidence of public liability insurance indemnifying Council for a minimum of \$20,000,000
10. Must reimburse the City for the cost of repair to any damage caused to the road or footpath as a result of the Applicant carrying out their activities
11. Must comply with any reasonable directive of the City Rangers, Police or Roads and Maritime Services.
12. Must comply with the City's Code of Practice for Construction Hours and Noise within the City Centre.
13. Must place an advertisement in a Sydney metropolitan newspaper at least 7 days before the road closure.
14. Must meet all costs associated with the closure and shall pay all fees in accordance with the Council's current Fees and Charges.
15. The Applicant is to obtain a Road Occupancy Licence from the Transport Management Centre prior to commencement of works.

16. The Applicant must contact the Sydney Coordination Office to discuss the event and its impacts on works associated with the CBD and South East Light Rail (CSELR) project or other major works in the CBD
17. Must ensure a suitable Occupational Health & Safety Plan is in place for all personnel working at the site.
18. Any variation on the approved date and conditions will require the Applicant to submit a Deferred Date Application for consideration
19. Note that in the event of a traffic incident or emergency, the Police will take control of all traffic and pedestrian arrangements.
20. Must advise car share operators of the approved closure 14 days before the road is closed if a car share parking bay is located in the street.
21. Failure to comply with these Conditions may result in the approval being revoked and not reinstated.

## Schedule C

### Works Zone Conditions

1. The applicant must notify adjacent properties of the Works Zone at least 14 days before the installation of the Works Zone and include contact details for the supervisor responsible for the Works Zone. A copy of the notification letter and distribution map must be provided to the City.
2. The applicant must pay all fees associated with the Works Zone.
3. The applicant must maintain public liability insurance for at least \$20 million during the period of use of the Works Zone. Evidence of this insurance must be provided to the City and the Applicant must:
  - 3.1. effect the insurance policies with an insurer approved by us;
  - 3.2. effect the insurance policies showing the City of Sydney as an interested party; and
  - 3.3. produce to us a Certificate of Currency for the public liability insurance policy
4. The applicant must comply with all relevant legislation, including Rule 181 of the New South Wales Road Rules 2014. The Works Zone is not to be used for commuting or private kerbside parking by builders, tradesperson or visitors to the site.
5. It is an offence under Section 667 of the Local Government Act 1993 to willfully remove, destroy, deface, damage or otherwise interfere with notices or signs erected by the City. The applicant must immediately notify the City's Traffic Works Coordinator of any lost or damaged signs adjoining the building site.
6. The applicant must provide safe pedestrian access adjacent to the Works Zone during the hours of operation. All traffic and pedestrian control must be in accordance with the current version of AS1742.3 and its associated handbook and RMS' Traffic Control at Work Sites Manual.
7. The City may require the applicant to enter into a separate deed if pedestrian access through private land is required.
8. The Applicant must give the City at least 2 weeks written notice if it wishes to suspend the Works Zone. Suspension of a Works Zone is at the City's discretion. The minimum suspension period is two weeks.
9. The Applicant must give the City at least 2 weeks written notice if the Works Zone is no longer required. The applicant must notify the City's Traffic Works Coordinator on [ccalabro@cityofsydney.nsw.gov.au](mailto:ccalabro@cityofsydney.nsw.gov.au) for the Works Zone to be removed.
10. The Applicant must continue to pay the Kerbside Usage Fees until the Works Zone is completely removed.
11. Works for major transport projects, such as the Sydney Light Rail Project and the Sydney City Centre Access Strategy, are currently being undertaken in the City's Local Government Area and have priority access and use rights over City owned or controlled land including roads and footpaths. The City may at any time, and with at least 1 business days' notice to the applicant, suspend or restrict the Works Zone if the Works Zone:
  - is required for a major transport project; or
  - is impracticable due to changes arising from a major transport project, such as traffic diversions; or
  - is otherwise unsuitable due to a major transport project.

The applicant must make its own enquiries, on a regular basis, about the potential impact of major transport projects on the Works Zone and the construction program for its development site.
12. The City may offset any fees owing by the applicant against the Deposit. The balance of the Deposit will be returned to the applicant when the Works Zone has been removed, all damages are rectified and all outstanding fees are paid in full.

13. The City may suspend or restrict the operation of a Works Zone for major events. Special traffic arrangements may be required during the Christmas and New Year period (generally from 1 December to 2 January) and other major event days. The applicant must make its own enquiries, on a regular basis, about any major events near their development site.
14. The applicant uses the Works Zone at its own risk. The City is not responsible for any loss, damage, injury or death relating to the applicant's use of the Works Zone. The applicant releases the City from and indemnifies and keeps the City indemnified against all liability, claims, action or demand associated with the Works Zone.
15. The Applicant shall indemnify and keep indemnified The City of Sydney against all loss (including financial loss), damage, expenses, claims, and liability suffered or incurred by us or our employees, consultants, agents, arising from the Applicant's activities including:
  - 15.1. Loss of or damage to our property and any other property; and
  - 15.2. Damage, expense, loss or liability for personal injury
16. The City is not responsible if the applicant is not able to gain access to the Works Zone.
17. Failure to comply with these Conditions may result in the Works Zone being revoked and not reinstated.