Item 57.

Schedule of Conditions

Attachments

Schedule of Conditions:-

(A) On Street Parade 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 and building managements at least one week prior to the commencement of the road closure, and to resolve, to the satisfaction of the City, any issues that may arise and all representations made by affected tenants and occupants.

2. Must provide a telephone number of the supervisor responsible for the proposed work to the City's Construction Regulations Unit, and include these contact details in the notification letters to affected tenants, occupants and building managements.

3. Must obtain written agreement from all affected car park operators for the proposed closures, and indemnify the City of Sydney and the Local Pedestrian, Cycling and Traffic Calming Committee against all claims of revenue loss as a result of the road closure.

4. Roads must be closed in accordance with AS1742.3 and the approved Traffic Management Plan, unless otherwise directed by Police or authorised City officers.

5. Before the road closure is implemented the applicant **MUST** obtain a permit from the City's Construction Regulations Unit (Telephone: 9265 9333).

6. Must contact the Police for deployment of User-Pays police if required for the road closure.

7. Must not occupy the carriageway or footway of the road until the road closure has been implemented.

8. 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.

9. Must provide and maintain appropriate and adequate traffic measures (including detour signs and flagmen) for the safe movement of traffic and pedestrians.

10. Must, to the satisfaction of the Emergency Services, at all times provide access to adjoining premises in the road being closed. All services (fire hydrants etc) must be kept free of any obstructions.

11. Must advise emergency services of the road closure.

12. Must remove all barriers and signs associated with the road closure at the times nominated to reopen the road to traffic.

13. 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 risk insurance cover indemnifying Council for a minimum of $20,000,000.

14. Must reimburse the City for the cost of repair to any damage caused to the road or footpath as a result of their activities.

15. Must comply with any reasonable directive of the City Rangers, Police or Roads and Maritime Services.

16. Must at all times carryout the crane installation and lifting operations in a safe manner.

17. Must comply with the City's Code of Practice for Construction Hours and Noise within the City Centre.

18. Must place an advertisement in a Sydney metropolitan newspaper at least 7 days before the road closure.

19. Must meet all costs associated with the closure and shall pay all fees in accordance with the Council's current Fees and Charges.

20. Must notify the Transport for NSW Transport Management Centre.

21. Must ensure a suitable Occupational Health & Safety Plan is in place for all personnel working at the site.

22. Any variation on the approved date and conditions of approval must be submitted to the City's Traffic Operations Manager for resolution.

23. Must where practical make alternate parking arrangements for affected residents during the event.

24. Must have a Risk Management Plan for the road closure.

25. Note that in the event of a traffic incident or emergency, the Police will take control of all traffic and pedestrian arrangements.

26. If the closure is on a bus route, the applicant must notify the State Transit Authority before each road closure and pay any associated costs for rerouting services and/or moving bus stops during each closure.

27. Must advise car share operators of the approved closure 7 days before the road is closed if a car share parking bay is located in the street.

28. Must not block a driveway or access to any premises unless a written approval from the owner/occupants is first obtained.

29. The City reserves the right to revoke this road closure approval at any time without any compensation to the applicant.

Schedule C
Works Zone Conditions

1. The applicant must notify adjacent properties of the Works Zone at least 7 days before the installation of the Works Zone.

2. The applicant must provide to the City the contact details (including telephone numbers) of the supervisor responsible for the Works Zone.

3. The applicant must pay all fees associated with the Works Zone, including any illegal use of the Works Zone.

4. The applicant must maintain public liability insurance for at least $10 million during the period of use of the Works Zone. Evidence of this insurance must be provided to the City upon request.

5. The applicant must comply with all relevant legislation, including Rule 181 of the Road Rules NSW.

6. The applicant must ensure that all relevant approvals are obtained prior to making Works Zone payments.

7. The Works Zone must not be used for commuting or private kerbside parking by builders, tradesmen or visitors to the site.

8. The Works Zone must not be used to store materials or waste containers unless agreed by the City.

9. The applicant is responsible for maintaining all traffic and parking restriction signs around the building site, including Works Zone signs and other parking restriction signs introduced by the City to facilitate the building works. It is an offence under section 667 of the Local Government Act 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 loss or damaged signs adjoining the building site. The applicant must pay for all costs of removal and reinstallation of signs if the applicant's act or omission caused the sign to be removed, destroyed, defaced or damaged.

10. 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.

11. The City may require the applicant to enter into a separate deed if pedestrian access through private land is required.

12. Where the Works Zone is adjacent to any street tree, trunk or major limb, protection must be installed prior to and during the period of the Works Zone. Such protection must be installed by a qualified arborist (AQF3 or higher). The tree protection must include wrapping of the tree trunk and any major branches with hessian or similar material to limit damage then space plank (50mm x 100mm or similar) at 100mm intervals and fixed against the trunk with tie wire or strapping. The trunk protection must not be fixed to the tree in any way (i.e. no nails or screws are to be used).

13. The applicant must not prune any street trees, including trees located outside adjoining properties, without the City's written consent. Only minor pruning works will be approved. Any pruning required to accommodation the loading/unloading of vehicles must be carried

out by a certified tree surgeon / arborist (AQF3) and confirm to the provisions of AS4373-2007 “Pruning of Amenity Trees”.

14. It is an offence under section 629 of the Local Government Act to willfully or negligently damage a tree in a public place. The applicant must immediately notify the City’s Tree Management Team on 9265 9333 if any street trees are damaged due to loading/unloading of vehicles. The City will determine the appropriate response for maintaining the health and structural integrity of the trees and may require the applicant to rectify the damage. If the applicant does not rectify the damage to the City’s satisfaction, then the City may undertake the necessary works, which may include the full replacement of trees, and all associated costs must be paid by the applicant.

15. The applicant must give the City at least 2 weeks written notice if it wishes to suspend the Works Zone. The City may, at its sole discretion, allow for the suspension of the Works Zone subject to certain conditions. (Note: Generally, a Works Zone suspension will not be allowed if the suspension period is less than 4 weeks). The applicant will be responsible for all costs associated with the suspension, including removal and installation of signs. The applicant will not be required to pay the Kerbside Usage Fees for any period of Works Zone suspension.

16. 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 facsimile: 9265 9222 or TWC@cityofsydney.nsw.gov.au for the Works Zone to be removed.

17. The applicant must continue to pay the Kerbside Usage Fees until the Works Zone is completely removed.

18. The City reserves the right to revoke the Works Zone approval at any time without compensation to the applicant.

19. 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, revoke, 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.

20. The City may, at any time and at its sole discretion, give notice to the applicant to terminate the Works Zone if the City considers that all construction loading and unloading may be done on site.

21. The City may, at any time and at its sole discretion, give notice to the applicant to terminate the Works Zone if there is any misuse of the Works Zone. Any fees paid (including the Deposit) will not be refunded.

22. The City may offset any amount 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 amounts are paid in full.

23. The City may suspend or restrict the operation of 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 will not be entitled to any compensation. The applicant must make its own enquiries, on a regular basis, about any major events near their development site.

24. If the Works Zone is installed on a footpath, then on removal of the Works Zone, the applicant must restore the footpath to its original condition. All works must be undertaken to the City's standards and specifications and to the satisfaction of the City's Public Domain team.

25. 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.

26. The City is not responsible for any costs, loss or damage if the applicant is not able to gain access to the Works Zone.