

# Operation Compliance Report

**Locomotive Workshop SSD 8517**

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November 2021

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## 1 Version control

**Application number:** SSD 8517

**File name:** Locomotive Workshop Operation Compliance Report SSD 8517.docx

**Report name:** Locomotive Workshop Operation Compliance Report

Version name	Date
Revision 1	03/11/2021

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## 2 Executive Summary

This Compliance Report is written in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).

## 3 Introduction

### 3.1 Background

Historically, the broader South Eveleigh site was used for railway maintenance, storage and other associated industries. Use of the South Eveleigh site as marshaling yards and workshops formed part of a large railway-based precinct on both sides of the main railway line, dating from 1882 and growing in size until its closure in 1989. Since this time, the precinct has been progressively redeveloped and repurposed.

In 2014, the NSW Government resolved to offer development sites within South Eveleigh for sale through a selective tender process conducted by Urban Growth NSW Development Corporation (UGDC). In November 2015 Mirvac Projects Pty Ltd (Mircvac) was named as the successful party and ownership and development rights of the precinct were subsequently transferred.

The redevelopment of the Locomotive Workshop is also part of Mirvac's redevelopment strategy for South Eveleigh. Two State Significant Development Applications were approved by the Independent Planning Commission on 22 February 2019. SSD 8517 relates to Bays 1-4a and SSD 8449 relates to Bays 5-15.

### 3.2 Site Description

The Locomotive Workshop building is located within the northern portion of South Eveleigh. It is legally described as Lot 4000 in DP1194309, and has an area of 26,984m<sup>2</sup>.

The site is owned by Mirvac Projects (Retail and Commercial) Pty Limited as the Trustee of the Mirvac Locomotive Trust.

### 3.3 Project Details

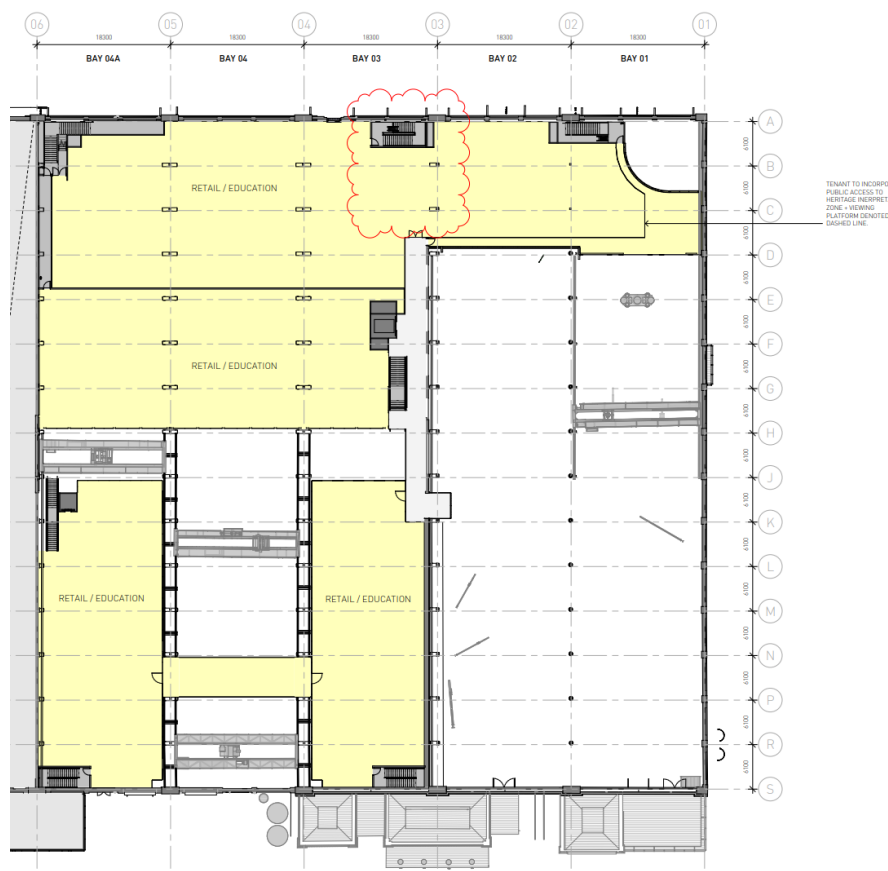
Project name	Locomotive Workshop, Australian Technology Park
Application number	SSD 8517
Project address	2 Locomotive Street, Eveleigh, NSW 2015
Project phase	Construction
Compliance reporting period	09/11/2021 – 03/11/2021
Project activity summary	Staged base building fit-out works complete. Bodyfit and IGA tenancy fit-outs completed, remaining tenant fit-outs under construction with estimated completion in first half of 2022.
Key project personnel	Tom Waters, NSW Development Director, Mirvac Email: <a href="mailto:tom.waters@mirvac.com">tom.waters@mirvac.com</a>

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## 3.4 Compliance Monitoring and Reporting Schedule

The table below outlines the frequency of compliance reporting for the project.

Report	Timing	Anticipated Lodgement Date
Compliance Monitoring and Reporting Program	Submitted to DPE 28/02/19	
Pre-Construction Compliance Report Rev 3	Submitted to DPE 21/06/19	
Compliance Report 1	Submitted to DPE 11/11/2019	
Compliance Report 2	Submitted to DPE 12/06/20	
Pre-Operation Report	Submitted to DPE 03/11/2020	
Compliance Report 3	Submitted to DPE 09/11/2020	
Operation Compliance Report	52 weeks following submission of Pre-Operation Compliance Report	03/11/2021 (This report)

## 4 Compliance Status Summary

The compliance table (Appendix B) outlines compliance with conditions of consent required for the project.

With regards to the compliance status descriptors the following terminology and explanation has been used.

The status of meeting the requirement of the condition of consent:

- Compliant – all necessary approvals have been obtained and the action is completed.
- Non-compliant – the necessary approvals or requirements have not been obtained/ met.
- Not triggered – where a requirement is yet to be triggered.

## 5 Previous Report Action & IEA 2020 Non-Compliances

Compliance Requirement and ID	Description	Action	Mirvac response CCR3
A20 – LONG SERVICE LEVY	The 6 <sup>th</sup> and final payment of the LSL instalments approved under SSD 8517 was due on 01/08/20 but was paid on 19/08/20. THE 2020 IEA considered this to be an administrative non-compliance.	Given this was the final payment under SSD8517. There is no further action other than ensuring no late payments are made under SSD8449.	Given this was the final payment under SSD8517. There is no further action other than ensuring no late payments are made under SSD8449.

## 6 Incidents

No environmental incidents have occurred and there have been no incidents requiring notification.

## 7 Complaints

No complaints have been received in relation to SSD 8517.

## Appendix A – Compliance Report Declaration Form


Compliance Report Declaration Form	
Project Name	Locomotive Workshop, South Eveleigh
Project Application Number	SSD 8517
Description of Project	Bays 1-4a Adaptive Reuse of the Locomotive Workshops
Project Address	2 Locomotive Street, Eveleigh NSW 2015
Proponent	Mirvac Projects (Retail & Commercial) Pty Limited
Title of Compliance Report	Operation Compliance Report
Date	03/11/2021

I declare that I have reviewed relevant evidence and prepared the contents of the attached Compliance Report and to the best of my knowledge:

- the Compliance Report has been prepared in accordance with all relevant conditions of consent;
- the Compliance Report has been prepared in accordance with the Compliance Reporting Post Approval Requirements;
- the findings of the Compliance Report are reported truthfully, accurately and completely;
- due diligence and professional judgement have been exercised in preparing the Compliance Report; and
- the Compliance Report is an accurate summary of the compliance status of the development.

Notes:

- 1.0 Under section 10.6 of the Environmental Planning and Assessment Act 1979 a person must not include false or misleading information (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is false or misleading in a material respect. The proponent of an approved project must not fail to include information in (or provide information for inclusion in) a report of monitoring data or an audit report produced to the Minister in connection with an audit if the person knows that the information is materially relevant to the monitoring or audit. The maximum penalty is, in the case of a corporation, \$1 million and for an individual, \$250,000; and
- 2.0 The Crimes Act 1900 contains other offences relating to false and misleading information: section 307B (giving false or misleading information – maximum penalty 2 years' imprisonment or 200 penalty units, or both).

Name of Authorised Reporting Officer	Angus Williams
Title	Assistant Development Manager
Signature	
Qualification	N/A
Company	Mirvac
Company Address	Level 28, 200 George Street Sydney 2000



## Appendix B – Construction Compliance Report

Table A-1: Compliance with SSD 8517					
UNIQUE (ID)	COMPLIANCE REQUIREMENT	DEVELOPMENT PHASE	MONITORING METHODOLOGY	EVIDENCE AND COMMENTS	COMPLIANCE STATUS
<b>Schedule 2 – Part A Administrative Conditions</b>					
OBLIGATION TO MINIMISE HARM TO THE ENVIRONMENT					
A1	In addition to meeting the specific performance measures and criteria in this consent, all reasonable and feasible measures must be implemented to prevent, and if prevention is not reasonable and feasible, minimise, any material harm to the environment that may result from the construction and operation of the development.	At all times	Evidence of internal audits / evidence of monitoring of minimising environmental harm.	Mirvac completes the following ongoing procedures: <ul style="list-style-type: none"> <li>Critical Focus Audits (internal audit) conducted every 3 months for a specific focus area.</li> <li>External audits are completed every 6 months.</li> <li>Full internal audits every 12 months covering all focus areas.</li> </ul>	Compliant
TERMS OF CONSENT					
A2	The development may only be carried out: (a) in compliance with the conditions of this consent;	At all times	Evidence of tracking compliance in accordance condition.	Reported on in previous compliance report and closed.	Compliant
A2	(b) in accordance with all written directions of the Planning Secretary;	At all times	Evidence of compliance with any directions from the Planning Secretary	Reported on in previous compliance report and closed.	Compliant
A2	(c) generally, in accordance with the EIS and Response to Submissions;	At all times	Applicant and PCA to ensure works are development carried out in accordance with EIS and RTS	Reported on in previous compliance report and closed.	Compliant

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A2	(d) in accordance with the approved plans in the table below (refer to Table provided in the consent).	At all times	Construction certificates are not provided if compliance with the condition is achieved. In this case a modification S4.55 is submitted to the Department of Planning.	Reported on in previous compliance report and closed.	Compliant
A3	Consistent with the requirements in this consent, the Planning Secretary may make written directions to the Applicant in relation to:  (a) the content of any strategy, study, system, plan, program, review, audit, notification, report or correspondence submitted under or otherwise made in relation to this consent, including those that are required to be, and have been, approved by the Planning Secretary; and	At all times	Evidence of compliance with any directions from the Planning Secretary	The Planning Secretary has only made written directions where modifications to the Consent had occurred since the conduct of the last IEA and for a progress update to be provided on a compliance report recommendation. In such instances, Mirvac has responded and complied with the written directions.	Compliant
A3	(b) the implementation of any actions or measures contained in any such document referred to in condition A3(a) above.	At all times	Compliance with (b) is monitored in the Independent Audit Report and Mirvac's internal audits	Compliance with the (b) is tracked in Mirvac's compliance tracking register against documents, plans and strategies outlined in section B of the conditions of consent.  Mircac's performance is also assessed in the Independent Audit Report and evidence of compliance is provided relevant to each document.	Compliant
A4	The conditions of this consent and directions of the Planning Secretary prevail to the extent of any inconsistency, ambiguity or conflict between them and a document listed in condition A2(c). In the event of an inconsistency, ambiguity or conflict between	At all times	Evidence of any inconsistency with the condition.	No instances where inconsistencies, ambiguity or conflict have occurred as described in this condition.	Compliant

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	any of the documents listed in condition A2(c), the most recent document prevails to the extent of the inconsistency, ambiguity or conflict.				
	EVIDENCE OF CONSULTATION				
A5	Where conditions of this consent require consultation with an identified party, the Applicant must:  (a) consult with the relevant party prior to submitting the subject document to the Planning Secretary for approval; and	At all times	Evidence of consultation to be provided in the relevant submission to the Planning Secretary	To obtain approval from the Planning Secretary for the relevant document evidence of consultation was provided in the submission. Relevant conditions in this reporting period were: <ul style="list-style-type: none"><li>- B37A Landscaping and Public Domain Plans (Heritage NSW and Council)</li><li>- B39 Detailed design/drawings for nominated construction certificates (Heritage NSW and Council)</li></ul>	Compliant
A5	(b) provide details of the consultation undertaken including:  (i) the outcome of that consultation, matters resolved and unresolved; and  (ii) details of any disagreement remaining between the party consulted and the Applicant and how the Applicant has addressed the matters not resolved.	At all times	Details are to be provided in the submission to the Planning Secretary to obtain the relevant approval	To obtain approval from the Planning Secretary for the relevant document evidence of consultation was provided in the submission. Relevant conditions in this reporting period were: <ul style="list-style-type: none"><li>- B37A Landscaping and Public Domain Plans (Heritage NSW and Council)</li><li>- B39 Detailed design/drawings for nominated construction certificates (Heritage NSW and Council)</li></ul>	Compliant
	STRUCTURAL ADEQUACY				
A6	All new buildings and structures, and any alterations or additions to existing buildings and structures, that are part of the development, must be constructed in	Construction	Design Statement from Structural engineer and Architect	Closed out in Compliance Report 1.	Compliant

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	<p>accordance with the relevant requirements of the BCA.</p> <p><i>Notes:</i>• Under Part 4A of the EP&amp;A Act, the Applicant is required to obtain construction and Occupation Certificates for the proposed building works.</p> <p>• Part 8 of the EP&amp;A Regulation sets out the requirements for the certification of the development.</p>				
	OPERATION OF PLANT AND EQUIPMENT				
A7	<p>All plant and equipment used on site, or to monitor the performance of the development must be:</p> <p>(a) maintained in a proper and efficient condition; and</p>	At all times	Evidence of monitoring all plant and equipment	Reported in previous compliance report and closed.	Compliant
A7	<p>(b) operated in a proper and efficient manner.</p>	At all times	Evidence of monitoring all plant and equipment	Reported in previous compliance report and closed.	Compliant
	APPLICABILITY OF GUIDELINES				
A8	<p>References in the conditions of this consent to any guideline, protocol, Australian Standard or policy are to such guidelines, protocols, Standards or policies in the form they are in as at the date of this consent.</p>	At all times	Where related to construction certificates or occupation certificates design certificates and installation certificates reference the relevant terms.	All relevant design statements and installation certificates for relevant construction certificates and occupation certificates reference the relevant terms in the condition.	Compliant
A9	<p>However, consistent with the conditions of this consent and without altering any limits or criteria in this consent, the Planning Secretary may, when issuing directions under this consent in respect of ongoing monitoring and management obligations, require compliance with an updated or revised version of such a guideline, protocol, Standard or policy, or a replacement of them.</p>	At all times	Evidence of direction from the Planning Secretary relevant to this condition	The Planning Secretary has not requested updated or revised versions of the referenced documents to be used	Compliant
	MONITORING AND ENVIRONMENTAL AUDITS				

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A10	Any condition of this consent that requires the carrying out of monitoring or an environmental audit, whether directly or by way of a plan, strategy or program, is taken to be a condition requiring monitoring or an environmental audit under Division 9.4 of Part 9 of the EP&A Act. This includes conditions in respect of incident notification, reporting and response, non-compliance notification and independent auditing.  <i>Note: For the purposes of this condition, as set out in the EP&amp;A Act, "monitoring" is monitoring of the development to provide data on compliance with the consent or on the environmental impact of the development, and an "environmental audit" is a periodic or particular documented evaluation of the development to provide information on compliance with the consent or the environmental management or impact of the development.</i>	At all times	Ensure any relevant documents are undertaken in accordance with condition.	Independent Audits have been carried out in accordance with the condition.	Compliant
INCIDENT NOTIFICATION, REPORTING AND RESPONSE					
A11	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> immediately after the Applicant becomes aware of an incident. The notification must identify the development (including the development application number and the name of the development if it has one) and set out the location and nature of the incident.	At all times	Evidence of submission of notification	No incidents have occurred to date. Therefore, Mirvac have not notified DPIE of an incident.	Compliant
A12	Subsequent notification must be given and reports submitted in accordance with the requirements set out in Appendix 1.	At all times	Evidence of submission of notification	No incidents have occurred to date. Therefore, Mirvac have not notified DPIE of an incident.	Compliant
NON-COMPLIANCE NOTIFICATION					
A13	The Department must be notified in writing to <a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after the Applicant becomes aware of any non-compliance. The PCA must also notify the Department in writing to	At all times	Evidence of submission of notification	Mirvac notified the DPIE of a non-compliance on 05/02/2021.  This notification advised of a non-compliance with Condition C6 being a failure to make the Construction	Compliant

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	<a href="mailto:compliance@planning.nsw.gov.au">compliance@planning.nsw.gov.au</a> within seven days after they identify any non-compliance.			Compliance Report 3 and the Pre-Operation Compliance Report publicly available within the 60 day timeframe.	
A14	The notification must identify the development and the application number for it, set out the condition of consent that the development is non-compliant with, the way in which it does not comply and the reasons for the non-compliance (if known) and what actions have been, or will be, undertaken to address the non-compliance.	At all times	Evidence of submission of notification	Mirvac's notification met the requirements of Condition A14.	Compliant
A15	A non-compliance which has been notified as an incident does not need to also be notified as a non-compliance.	At all times	To note	No incidents have been notified.	Compliant
REVISION OF STRATEGIES, PLANS AND PROGRAMS					
A16	Within three months of: (a) the submission of a Compliance Report under condition C5;  the strategies, plans and programs required under this consent must be reviewed, and the Department must be notified in writing that a review is being carried out.	At all times	Letter to the DPIE	As per Condition C6, the Pre-Operation Compliance Report and Compliance Report 3 were not made publicly available within the required 60-day timeframe.	Non-Compliant
A16	(b) the submission of an incident report under condition A11;	At all times	Letter to the DPIE	No incidents recorded in the reporting period	Compliant
A16	(c) the submission of an Independent Audit under condition C8;	At all times	Letter to the DPIE	No Independent Audit was submitted during the reporting period.	Compliant
A16	(d) the approval of any modification of the conditions of this consent; or	At all times	Letter to the DPIE	Mirvac received Mod 9 approval on 15 <sup>th</sup> July 2021. The DPIE was notified of this on 6 <sup>th</sup> September.	Compliant
A16	(e) the issue of a direction of the Planning Secretary under condition A3 which requires a review,	At all times	Letter to the DPIE	Mirvac received the written direction from the Planning Secretary on 22/02/2021, 27/01/2021 & 27/02/2021.	Compliant

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				Mirvac advised the DPIE of this in a letter on 5th March 2021.	
A17	<p>If necessary to either improve the environmental performance of the development, cater for a modification or comply with a direction, the strategies, plans and programs required under this consent must be revised to the satisfaction of the Planning Secretary. Where revisions are required, the revised document must be submitted to the Planning Secretary for approval within six weeks of the review.</p> <p><i>Note: This is to ensure strategies, plans and programs are updated on a regular basis and to incorporate any recommended measures to improve the environmental performance of the development.</i></p>	At all times	Update document as required by DPIE	There was no identified requirement to revise the strategies, plans and programs arising from a need to improve environmental performance, to cater for a modification or comply with a direction.	Compliant
	LIMITS OF CONSENT				
A18	This consent will lapse five years from the date of consent unless the works associated with the project have physically commenced.	Construction	Works must commence	Works have physically commenced. This was noted in Compliance Report 1 and therefore closed.	Compliant
A19 (as modified)	<p>This consent does not approve the following components of the development:</p> <p>(a) operation and fit out of all tenancies, except the Blacksmith, within Bays 1 and 2 north at ground floor and mezzanine level</p> <p><del>(f) the signage zone, design, content and illumination (if proposed) for any signage on the water towers on Bays 4 and 4a</del></p> <p>Where required, separate approval(s) shall be obtained from the relevant consent authority.</p>	Ongoing	Approval is required for any limit of consent by the relevant tenant	Australian Venue Co lodged their DA on 16/08/21. DA Approval has not been received yet.	Compliant
A19 (as modified)	(b) operation and fit out of all tenancies in Bays 3-4a at ground floor and first floor, including the supermarket	Ongoing	Approval is required for any limit of consent by the relevant tenant	Reported on and closed in CCR3.	Compliant

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A19 (as modified)	(c) operation and fit out of the corner retail annex adjacent to Bay 1	Ongoing	Approval is required for any limit of consent by the relevant tenant	An application has not yet been lodged for the tenancy in the corner retail annex.	Not triggered
A19 (as modified)	(d) hours of operation of all retail tenancies	Ongoing	Approval is required for any limit of consent by the relevant tenant	For the approvals received for the retail tenants – specified hours of operation are approved for each of the tenancies within their own DA consent.	Compliant
A19 (as modified)	(e) detailed signage design, content and illumination (if proposed) within all approved signage zones, including the Bays renumbering signage and wayfinding. Future approval for these elements is to ensure that the detailed signage design, content and illumination (if proposed) is sensitive to the heritage significance of the building	Construction	Approval is required for any limit of consent by the relevant tenant	Reported on and closed in CCR3.	Compliant
A19 (as modified)	(g) the operation of the outdoor seating areas within Innovation Plaza and Locomotive Street, including the exact location, size, number of seats, hours of operation and management.	Ongoing	Approval is required for any limit of consent by the relevant tenant	Any tenants that require outdoor seating have submitted a DA application noting the limits of the SSD8517 consent.	Compliant
A20	Prior to the issue of the Construction Certificate for each stage of the development, a Long Service Levy is required to be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.	Construction	Pay long Service levy in instalments as approved by Long Service Levy.	The Long Service Levy has been paid in full.	Compliant
REDFERN-WATERLOO AUTHORITY CONTRIBUTIONS PLAN 2006					
A21	Contributions will be required based on the Redfern-Waterloo Authority Contributions Plan 2006.  The levy is to be calculated as 2% of the proposed cost of development, indexed between the date of determination and the date the levy is required to be paid in accordance with clause 25J(4) of the	Pre-Construction	Remittance of payment	Closed out in Compliance Report 1	Compliant



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	<p>Environmental Planning and Assessment Regulation 2000 and clause 10 of Redfern-Waterloo Authority Contributions Plan 2006.</p> <p>Pursuant to the Redfern-Waterloo Authority Contributions Plan 2006, a contribution amount of \$1,065,680 plus indexation between the date of approval and date of payment, in accordance with Consumer Price Index (All Groups Index) for Sydney, is to be paid via bank cheque or alternate payment method for deposit into the Redfern-Waterloo Fund (towards the cost of one or more of the public facilities set out in the Works Schedule to that Plan).</p> <p>Proof of payment of this contribution to the UGDC shall be provided to the Certifying Authority prior to the issue of the first Construction Certificate (or other timing in accordance with the Contributions Plan). If the amount is not to be paid prior to the first Construction Certificate, written verification of this should be provided by UrbanGrowth NSW Development Corporation and provided to the Certifier. No deferred or periodic payments are permitted.</p> <p>Email <a href="mailto:info@ugdc.nsw.gov.au">info@ugdc.nsw.gov.au</a> or phone 9216 5700 to confirm indexed amount of the contribution, prior to preparation of a bank cheque or finalisation of any agreed alternate payment method made out to the UrbanGrowth NSW Development Corporation.</p> <p>A copy of Redfern-Waterloo Authority Contributions Plan 2006 is available for inspection at the offices of UGDC, Level 12, MLC Centre, 19 Martin Place Sydney or from the website <a href="http://www.ugdc.nsw.gov.au">www.ugdc.nsw.gov.au</a></p>				
	REDFERN-WATERLOO AUTHORITY AFFORDABLE HOUSING CONTRIBUTIONS PLAN 2006				
A22	N/A				
	STAGING				

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A23	The development may be carried out generally in accordance with the following stages. A Construction Certificate may be obtained for each of the following stages, subject to satisfaction of the relevant condition(s) (refer to Table provided in the Consent)	Construction	Construction Certificates issued by Philip Chun & Associates for all relevant stages.	The development is being carried out in stages as described in the Consent.  Nothing to report this reporting period.	Compliant
<b>PART B PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE</b>					
EXTERNAL WALLS AND CLADDING					
B1	The external walls of all buildings including additions to existing buildings must comply with the relevant requirements of the BCA.	Construction	Design statement confirming compliance	Closed out in Compliance Report 1 and therefore still Compliant.	Compliant
B2	Before the issue of the Stage 5 Construction Certificate (for Bays 1-4a) and the first Occupation Certificate for the Locomotive Workshop, the Applicant must provide the Certifying Authority with documented evidence that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the requirements of the BCA.	Pre-construction and construction	Design statements	Closed. Reported on in Compliance Report 2	Compliant
B3	The Applicant must provide a copy of the documentation given to the Certifying Authority to the Planning Secretary within seven days after the Certifying Authority accepts it.	Construction	Philip Chun Interim Occupation certificate issued to Department	Closed. Reported on in Compliance Report 2	Compliant
NO WORKS PRIOR TO CONSTRUCTION CERTIFICATE					
B4	Work must not commence until a relevant Construction Certificate has been issued.	Construction	Works to commence following the issue of the relevant Construction Certificate	Mirvac notified the Department that Stage 6 work in the public domain of Locomotive Street was planned to commence on 26/10/20. However, CC6 was not issued until 25/11/20. Mirvac advised that construction did not start until late November 2020 after CC6 had been issued due to a delay in the issue of CC6.	Compliant
AMENDED PLANS					

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B5 (as modified)	<del>Prior to the issue of the Stage 3 Construction Certificate for the Locomotive Workshop, amended architectural plans/elevations and supporting documentation shall be submitted for the approval of the Planning Secretary demonstrating the following:</del>  (a) removal of the signage zones from the water towers above Bays 4-4a (See Condition A19(f)).	Construction	SSD 8517 MOD 3	Condition B5 has been deleted from SSD 8517.	Not applicable
CAR PARKING					
B6	The proposal shall provide the following car spaces in Locomotive Street in accordance with the approved landscape/public domain concept plan:  (a) 4 accessible spaces (b) 6 on street loading spaces (off Locomotive Street) (c) 1 taxi space (d) 1 drop off / pick up space (e) 1 fire brigade space	Construction	Design Statement and Drawings	The design plans approved for construction by the Certifier provided for the required car parking spaces.	Compliant
B7	The layout of the car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004, AS2890.6-2009 and AS 2890.2 – 2002 for heavy vehicle usage.	Construction	Design Statement and Drawings	The SLR Design Compliance Certificate certified that the layout of car parking areas shown in the specified drawings were designed in accordance with the required Australian Standards. It is observed that a later standard, AS2890.2-2018, was utilised than the required standard, which is considered acceptable. Similarly, Mansour Paving's Installation Compliance Certificate certified compliance with the required Australian Standards and Condition B7.	Not triggered
BICYCLE PARKING					
B8	A minimum of 46 visitor bicycle spaces shall be provided in the public domain along Locomotive Street, as per drawing no. L_Base Master, Landscape Plan, prepared by Aspect Studios and dated 1/6/2017.	Construction	Design Statement and Drawings	<ul style="list-style-type: none"> <li>L_Base Master, Landscape Plan is an outdated plan that was superseded within the SSD 8517 RTS (refer to pages 7 &amp; 8 of the Public Domain</li> </ul>	Compliant

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				<p>Response to Issues Package, attached) and B37 plans (too large to attach).</p> <ul style="list-style-type: none"> <li>• L_Base Master, Landscape Plan does not show any bicycle spaces within the boundary of SSD 8517.</li> <li>• Mirvac has installed the bicycle spaces that are shown within the abovementioned approved drawings (RTS and B37) within the SSD 8517 boundary. These have been installed in line with updated drawings approved on multiple occasions by DPIE and CoS.</li> <li>• All 66 bicycle spaces, as required under SSD 7317 Mod 8 have been installed within the precinct.</li> <li>• It is believed that the reference to L_Base Master, Landscape Plan within the SSD 8517 development consent is an administrative error on the basis that it has been superseded multiple times and doesn't actually show any bicycle spaces within SSD 8517, and that it should have been rectified earlier by way of a mod as per similar changes made under Mod 5.</li> </ul>	
B9	The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 2015.	Construction	Design Statement and Drawings	The SLR Design Compliance Certificate certified that the building components shown in the specified drawings were designed in accordance with listed Australian Standards including AS 2890.3-2015.	Compliant

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	COMMUNITY LIAISON GROUP				
B10	The Community Liaison Group established under SSD 7317 and a suitably qualified heritage consultant/s and/or heritage expert/s is to be used for SSD 8517, to ensure that the community is kept informed and has an opportunity to feedback on the construction of the Locomotive Workshop. All complaints are to be recorded on a complaint register and reported regularly to the Community Liaison Group.	Construction	Evidence of meetings taking place, minutes and complaints recorded	CLG meetings are still held. Curio Projects continue to be engaged as Mirvac's heritage consultant and are a member of the Community Liaison Group.  No complaints regarding the Locomotive Workshop were received during the reporting Period, however the register has not been updated regularly.	Non-Compliant
	CONSTRUCTION NOISE AND VIBRATION MANAGEMENT PLAN				
B11	Prior to the issue of the relevant Construction Certificate, a detailed Construction Noise and Vibration Management Plan (CNVMP) prepared by a suitably qualified person shall be submitted to the Certifying Authority. The Plan shall include, but not be limited to:  (a) identification of each work area, site compound and access route (both private and public)  (b) identification of the specific activities that will be carried out and associated noise sources at the premises and access routes  (c) identification of all potentially affected sensitive receivers  (d) the construction noise objectives identified in accordance with the Interim Construction Noise Guidelines (DECC 2009)  (e) assessment of potential noise and vibration from the proposed construction methods (including noise from construction traffic) against the objectives identified in (d)	Construction	Plan to be prepared and issued to the Certifying Authority for the Construction Certificate	Discussed and closed in Compliance Report 1. No further update to the plan in this reporting period.	Compliant

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	<p>(f) where the objectives are predicted to exceeded an analysis of feasible and reasonable noise mitigation measures that can be implemented to reduce construction noise impacts</p> <p>(g) description of management methods and procedures and specific noise mitigation treatments that will be implemented to control noise and vibration during construction, including the early erection of operational noise control barriers</p> <p>(h) procedures for notifying residents of construction activities that are likely to affect their noise and vibration amenity</p> <p>(i) measures to monitor noise performance and respond to complaints</p> <p>(j) effective site induction, and ongoing training and awareness measures for personnel (e.g. tool box talks, meetings etc).</p>				
	AIR QUALITY MANAGEMENT PLAN				
B12	<p>Prior to the issue of the relevant Construction Certificate, an Air Quality Management Plan (AQMP) must be prepared for the project and approved by the PCA. It must be prepared by a suitably qualified and experienced expert in accordance with the EPA's Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (the Approved Methods). The AQMP must be implemented and must include, as a minimum:</p> <p>(a) contain relevant environmental criteria to be used in the day-to-day management of dust and volatile organic compounds (VOC/odour), including consideration of any contaminated materials;</p> <p>(b) contain a mission statement;</p> <p>(c) contain dust and VOCs/odour management strategies consisting of</p>	Construction	Plan to be prepared and issued to the Certifying Authority for the Construction Certificate	Discussed and closed in Compliance Report 1. No further update to the plan in this reporting period.	Compliant

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	<p>(i) objectives and targets;</p> <p>(ii) risk assessment;</p> <p>(iii) suppression improvement plan.</p> <p>(d) set out monitoring requirements including assigning responsibility (for all employees and contractors);</p> <p>(e) contain a communication strategy; and</p> <p>(f) include a performance review system for continuous improvements.</p> <p>The Plan must detail management practices to be implemented for all dust and VOC/odour sources at the site. The Plan must also detail the dust, odour, VOC and semi-volatile organic compounds (SVOC) monitoring program (eg frequency, duration and method of monitoring) to be undertaken for the project, taking into particular consideration potential contaminated materials.</p>				
	<b>CONSTRUCTION WASTE MANAGEMENT PLAN</b>				
B13	<p>Prior to the issue of the relevant Construction Certificate, a Waste Management Plan must be developed for the project by a suitably qualified person and approved by the PCA. The Plan must be implemented and must include, as a minimum, the following elements:</p> <p>(a) A Stockpile, Contamination Soil and Sediment Management Plan including:</p> <p>(i) the exact locations where contaminated waste material (including Acid Sulphate Soils if found) and non-contaminated waste material will be stockpiled. Contaminated and non-contaminated waste material must be stockpiled separately, and the designated areas must be clearly marked and labelled (on plans and on the ground);</p>	Construction	Plan to be prepared and issued to the Certifying Authority for the Construction Certificate	Reported on in Compliance Report 3 and closed.	Compliant

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(ii) details of how the stockpiled waste material will be kept separate from non-contaminated waste material;

(iii) procedures for minimising the movement of waste material around the site and double handling; and

(iv) additional information detailing how materials proposed to be recycled/reused will be segregated on the site during operations. Particularly in relation to those wastes categorised as 'Building' waste.

(b) A detailed plan for in-situ classification of waste material, including the sampling locations and sampling regime that will be employed to classify the waste, particularly with regards to the identification of contamination hotspots.

(c) A commitment to retaining all sampling and classification results for the life of the project to demonstrate compliance with the EPA's Classification Guidelines.

(d) Details in relation to the transport of waste material around the site (on-site) and from the site, including (at a minimum):

(i) a traffic plan showing transport routes within the site;

(ii) location of stockpiles at each stage as they migrate within the site;

(iii) a commitment to retain waste transport details for the life of the project to demonstrate compliance with the Protection of the Environment Operations Act 1997; and

(iv) the name and address of each licensed facility that will receive waste from the subject site (if appropriate).

(e) A contingency plan for any event that may affect excavation and contaminated soil treatment operations at the site.



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	CONSTRUCTION PEDESTRIAN AND TRAFFIC MANAGEMENT PLAN				
B14	<p>Prior to the issue of the relevant Construction Certificate, a Construction Pedestrian and Traffic Management Plan (CPTMP) must be prepared by a suitably qualified person in consultation with the CBD Coordination Office of TfNSW and Council. A final copy of the plan is to be submitted to the Coordinator General, Transport Coordination for endorsement, prior to the commencement of any works.</p> <p>The Plan must include a Green Travel Plan for construction workers and detailed measures that would be implemented to minimise the impact of the development on the safety and capacity of the surrounding road network, minimise truck movements to and from the site as far as practicable during the peak periods of this consent. In addition, the CPTMP shall address, but not be limited to, the following matters:</p> <ul style="list-style-type: none"> <li>(a) location of the proposed work zone</li> <li>(b) haulage routes</li> <li>(c) construction vehicle access arrangements</li> <li>(d) estimated number of construction vehicle movements</li> <li>(e) construction program</li> <li>(f) consultation strategy for liaison with surrounding stakeholders</li> <li>(g) any potential impacts to general traffic, pedestrians and bus services within the vicinity of the site from construction vehicles during construction</li> <li>(h) cumulative construction impacts of projects including Sydney Metro City and South West. Existing CPTMPs for developments within or around the development site should be referenced to ensure</li> </ul>	Construction	Plan to be prepared and issued to the Certifying Authority for the Construction Certificate	Discussed and closed in Compliance Report 1. No further update to the plan in this reporting period.	Compliant

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	<p>that coordination of work activities is managed to minimise impacts on the road network</p> <p>(i) should impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified</p> <p>(j) include the builder's direct contact number to small businesses adjoining or impacted by the construction work, the Transport Management Centre and Sydney Coordination Office within TfNSW to resolve issues relating to traffic, freight, servicing and pedestrian access during construction in real time</p> <p>(k) parking arrangements for construction workers and sub-contractors, and any measures proposed to avoid parking in the streets in the local areal</p> <p>(l) pedestrian/cyclist and traffic management measures.</p>				
	PRE-CONSTRUCTION DILAPIDATION REPORT				
B15	<p>The Applicant is to engage a suitably qualified person to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all adjoining buildings, infrastructure and roads (including the public domain site frontages, the footpath, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street) within the 'zone of influence'. Any entry into private land is subject to the consent of the owner(s) and any inspection of buildings on privately affected land shall include details of the whole building where only part of the building may fall within the 'zone of influence'. The report shall be approved by the PCA prior to the issue of the Stage 2 Construction Certificate. A copy of the report is to be forwarded to each of the affected property owners.</p>	<p>Construction and commencement of use bays 5-15</p>	<p>Plan to be prepared and issued to the Certifying Authority for the Construction Certificate and commencement of first use.</p>	<p>Reported on in Compliance Report 3 and closed.</p>	<p>Compliant</p>

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	<p>In the event that access for undertaking a Pre-Construction Dilapidation Report is denied by an adjoining owner, the Applicant must demonstrate, in writing, to the satisfaction of the PCA that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the report and that these steps have failed.</p> <p>Any damage to the public way including trees, footpaths, kerbs, gutters, road carriageway and the like must be made safe and functional by the Applicant. Damage must be fully rectified by the Applicant in accordance with the Council's standards prior to commencement of first use of the commercial bays (bays 5-15) of the Locomotive Workshop.</p>				
	MECHANICAL VENTILATION				
B16	<p>All mechanical ventilation systems shall be installed in accordance with the BCA and shall comply with relevant Australian Standards, to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate. The PCA must be satisfied that the proposed system is leading industry standard in terms of environmental performance.</p>	Construction	Design Statement to be approved by PCA	Closed. Reported on in Compliance Report 2	Compliant
	SYDNEY WATER ASSETS				
B17	<p>Prior to issue of the first Construction Certificate, the Applicant is required to demonstrate that the development will not interfere with the operation of and accessibility to Sydney Water's assets (including water, sewer and stormwater).</p>	Construction	Relevant Sydney Water Approval required prior to issue of first CC	Reported on in first compliance report and closed. No further comment.	Compliant
B18	<p>The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.</p>	Construction	Relevant Sydney Water Approval required prior to issue of first CC	Reported on in first compliance report and closed. No further comment.	Compliant

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	Sydney Water's Tap in™ online service is available at: <a href="https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm">https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm</a>				
B19	<p>A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water. It is recommended to apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.</p> <p>Application must be made through an authorised Water Servicing Coordinator. For help either visit <a href="https://www.sydneywater.com.au">www.sydneywater.com.au</a> &gt; Plumbing, building and developing &gt; Developing &gt; Land development or telephone 13 20 92.</p>	Construction	Relevant Sydney Water Approval required prior to issue of first CC	Reported on in first compliance report and closed. No further comment.	Compliant
INSTALLATION OF WATER EFFICIENCY MEASURES					
B20	All toilets installed within the development must be of water efficient dual-flush capacity with at least 4-star rating under the Water Efficiency and Labelling Scheme (WELS). The details must be submitted for the consent of the PCA, prior to the issue of the Stage 4 Construction Certificate.	Construction	Design Statement and FF&E to satisfaction of PCA.	Reported and closed in CCR3.	Compliant
B21	All taps and shower heads installed within the development must be water efficient with at least a 3-star rating under the Water Efficiency and Labelling Scheme (WELS), where available. The details must be submitted for the approval of the PCA, prior to issue of the Stage 4 Construction Certificate.	Construction	Design Statement and FF&E to satisfaction of PCA.	Reported and closed in CCR3.	Compliant
B22	New urinal suites, urinals and urinal flushing control mechanisms installed within the development must demonstrate that products have been selected with at least a 4-star rating under the Water Efficiency and Labelling Scheme (WELS).	Construction	Design Statement and FF&E to satisfaction of PCA.	Reported and closed in CCR3.	Compliant

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B23	Systems must include 'smart controls' to reduce unnecessary flushing. Continuous flushing systems are not approved. Details are to be submitted to and approved by the PCA, prior to the issue of the relevant Construction Certificate.	Construction	Design Statement and FF&E to satisfaction of PCA.	Reported and closed in CCR3.	Compliant
RAINWATER HARVESTING AND RECYCLING					
B24	Prior to the issue of the Stage 3 Construction Certificate, the Applicant is to detail how rainwater harvesting and recycled water reuse (RH&RWR) for the Locomotive Workshop will integrate with the RH&RWR strategy for the ATP precinct (approved under SSD 7317). This strategy is to be prepared in consultation with Council and submitted to and approved by the Secretary.	Construction	Approval from the Planning Secretary required on Strategy	Reported as compliant in previous compliance report. No further comment.	Compliant
STORMWATER AND DRAINAGE					
B25	Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), excluding approved preparatory or demolition work, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by the PCA. All approved details for the disposal of stormwater and drainage are to be implemented in the development.	Construction	Relevant Authority Approval required prior to issue of first CC	Reported on in first compliance report and closed. No further comment.	Compliant
B26	The requirements of Sydney Water with regard to the on-site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the onsite detention must be submitted prior to a Construction Certificate being issued excluding any approved preparatory, demolition or excavation works.	Construction	Relevant Authority Approval required prior to issue of first CC	Reported on in first compliance report and closed. No further comment.	Compliant

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B27	Any proposed connection to the relevant authority underground drainage system will require the owner to enter into a Deed of Agreement with the relevant authority and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued for public domain works or above ground building works, whichever is earlier, and prior to the commencement of any work within the public way.  Note: Contact Council's Legal Unit prior to the drafting of the positive covenant.	Construction	Relevant Authority Approval required prior to issue of first CC	Reported on in first compliance report and closed. No further comment.	Compliant
B28	An "Application for Approval of Stormwater Drainage Connections" must be submitted to the relevant authority with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the relevant authority's drainage system.	Construction	Relevant Authority Approval required prior to issue of first CC	Reported on in first compliance report and closed. No further comment.	Compliant
B29 (as modified)	Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), but excluding approved preparatory or demolition work, a stormwater quality assessment must be undertaken and must be approved by the PCA.  The stormwater quality assessment must:  (a) be prepared by a suitably qualified drainage engineer with experience in Water Sensitive Urban Design;  (b) use modelling from an industry-standard water quality model; and  (c) demonstrate what water sensitive urban design and other drainage measures will be used to ensure that the development will achieve the following post-development pollutant loads relative to pre-development pollutant loads:  (i) reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by >25%;	Construction	Approval required from the PCA	Reported on in first compliance report and closed. No further comment.	Compliant

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	<p>(ii) reduce the baseline annual pollutant load for total suspended solids by &gt;30%;</p> <p>(iii) reduce the baseline annual pollutant load for total phosphorous by &gt;10%;</p> <p>(iv) reduce the baseline annual pollutant load for total nitrogen by &gt;10%.</p>				
	EROSION AND SEDIMENT CONTROL				
B30	Soil erosion and sediment control measures shall be designed in accordance with the document Managing Urban Stormwater – Soils & Construction Volume 1 (2004) by Landcom and the Guidelines for Erosion and Sediment Control on Building Sites (City of Sydney). Details are to be submitted to and approved by the PCA prior to the issue of the relevant Construction Certificate.	Construction	Approval required from the PCA	Reported on in first compliance report and closed. No further comment.	Compliant
	ACCESS FOR PEOPLE WITH DISABILITIES				
B31	Prior to the issue of the relevant Construction Certificate, detailed design documentation demonstrating compliance with the recommendations of the Access Report (Final), prepared by Morris Goding Accessibility Consulting, dated 25 October 2017 shall be provided to and approved by the PCA. Any works must be designed and constructed to provide access and facilities for people with a disability in accordance with the Building Code of Australia. The PCA must ensure that evidence of compliance with this condition from an appropriately qualified person is provided and that the requirements are referenced on the Construction Certificate drawings.	Construction	Access Consultant to provide certification and approval of the drawings for CC4	Closed. Reported on in Compliance Report 2.	Compliant
	DEVELOPMENT ADJACENT TO A RAIL CORRIDOR				
B32	Prior to the issue of the relevant Construction Certificate, an acoustic assessment is to be submitted to the Secretary demonstrating how the proposed development will comply with the	Construction	Letter of compliance from the acoustic engineer	Reported on in first compliance report and closed. No further comment.	Compliant

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	Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines".				
	HERITAGE INTERPRETATION				
B33	<p>Prior to the issue of the first Construction Certificate for the Locomotive Workshop, the endorsed Stage 1 Heritage Interpretation Plan (under SSD 7317) is to be reviewed and updated, in consultation with the Heritage Council and Council, to the satisfaction of the Planning Secretary.</p> <p>The updated plan must be prepared in accordance with the Applicant's Heritage Impact Statement, the ATP Conservation Management Plan, relevant NSW Heritage Division guidelines and address material and intangible cultural heritage.</p> <p>It must require the Stage 2 Heritage Interpretation Plan be consistent with the Stage 1 Heritage Interpretation Plan, outline the next steps for the Stage 2 Heritage Interpretation Plan, identify concepts that have been further developed for the Locomotive Workshop, including interpretative elements for the loading dock and travelator and detail consultation undertaken with the Heritage Council and Council. It shall also provide for the subsequent stages of the Heritage Interpretation Plans to be prepared in consultation with the Heritage Council, Council and other stakeholders, including former workers, Aboriginal stakeholders, volunteers, the local community and relevant railway associations, and document the findings and recommendations raised in consultation.</p>	Construction	Consultation with relevant authorities, groups, stakeholders and approval from Planning Secretary.	Reported on in first compliance report and closed. No further comment.	Compliant
B34	Prior to the issue of the first Construction Certificate for the Locomotive Workshop, the Applicant shall submit the Stage 2 Heritage Interpretation Plan for the Locomotive Workshop for approval by the Planning Secretary. This plan shall be prepared in accordance with the Stage 1 Heritage Interpretation	Construction	Consultation with relevant authorities, groups, stakeholders and approval from Planning Secretary.	Reported on in first compliance report and closed. No further comment.	Compliant



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	Plan, the Applicant's Heritage Impact Statement, the ATP Conservation Management Plan and relevant NSW Heritage Division guidelines. Stage 2 shall be prepared in consultation with the Heritage Council and Council, and other stakeholders, including former workers, Aboriginal stakeholders, volunteers, the local community and relevant railway associations, and document the findings and recommendations raised.				
	REMEDATION				
B35	<p>Prior to the issue of the relevant Construction Certificate, a Remediation Environmental Management Plan (REMP) prepared by a suitably qualified person must be submitted to and approved by the PCA. The plan shall be prepared for each development stage to ensure the works and management are specific to each developable area and must:</p> <p>(a) outline the environmental monitoring and management measures to be implemented during the remediation and construction works on the site;</p> <p>(b) be consistent with and adopt all recommendations of the Remedial Action Plan prepared by JBS&amp;G dated 15 June 2016 and reflect the requirements of Clause 17 and Clause 18 of SEPP 55; and</p> <p>(c) provide contingency measures to manage unexpected finds of contaminated materials, beyond that anticipated at the site.</p>	Construction	REMP to be prepared in accordance with the condition and approved by the PCA	Reported on in first compliance report and closed. No further comment.	Compliant
	ARBORIST REPORT				
B36	Prior to issue of the first Construction Certificate, the Arborist Report shall be updated by an appropriately qualified Arborist, in consultation with Council, to provide details of potential impacts and measures to protect the health of all retained trees during construction.	Construction	Arborist report to be updated in consultation with council and approved by the PCA	Reported on in first compliance report and closed. No further comment.	Compliant

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	LANDSCAPING AND PUBLIC DOMAIN PLAN				
B37	<p>Detailed landscape and public domain plan(s), drawn to scale, by a qualified landscape architect or landscape designer, must be prepared in consultation with Council and the Heritage Council and approved by the Planning Secretary prior to the issue of the first public domain Construction Certificate.</p> <p>The Applicant must provide evidence to the Planning Secretary of the consultation undertaken with Council and the Heritage Council, identifying how comments have been considered in the submitted plans.</p> <p>The plan must reference the industrial character of the precinct, and be generally in accordance with Council's 'Public Domain Manual', and include:</p> <p>(a) detail how the public domain and landscape design, treatment and materials will integrate with the endorsed public domain and landscaping (as per SSD 7317)</p> <p>(b) provide conservation and retention of movable heritage items and interpretive devices for heritage features, in relation to the history of the site overall</p> <p>(c) location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas on slab, planted areas in natural ground, lighting and other features</p> <p>(d) details of earthworks and soil depths including mounding and retaining walls and planter boxes (if applicable)</p> <p>(e) deep soil depth, unencumbered by any structures for mature tree growth</p> <p>(f) location of at least one new tree in the public domain to replace the removal of the London Plane tree in Innovation Plaza</p>	Construction	Drawings to be prepared in consultation with the relevant authorities and approval from Planning Secretary required	<p>Mirvac consider that requirements a-h are all included in documentation provided to the Planning Secretary for approval and therefore not necessary to split out how compliance is achieved against each item.</p> <p>This Condition was completed and considered compliant during a previous Compliance Report.</p> <p>During this reporting period, Construction Certificate 6 for the Public Domain was issued (on 25/11/2020)</p>	Compliant

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	(g) a maintenance plan, including details of planting procedures and maintenance  (h) details of drainage, waterproofing and watering systems.				
	UTILITY SERVICES				
B38	Prior to the issue of a relevant Construction Certificate, the Applicant is to negotiate with the utility authorities (e.g. Ausgrid and Telecommunications Carriers) in connection with the relocation and/or adjustment of any services affected by the construction of the development and demonstrate to the PCA that a satisfactory solution has been agreed to by all parties.	Construction	Approvals from all relevant authorities required prior to CC1	Reported on in first compliance report and closed. No further comment.	Compliant
	DETAILED DESIGN INFORMATION				
B39	The following detailed design/ drawings must be prepared, in consultation with the Heritage Council NSW and Council (or its delegate) and provided to the Planning Secretary prior to the issue of the nominated Construction Certificate.	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA.	Reported on in Compliance Report 3 and closed.	Compliant
B39	1. Detailed drawings and proposed construction of the loading dock, loading dock wall protection, loading dock wall design and barriers to protect the Davy Furnace and significant heritage fabric - CC3 Structure	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission	Reported on in first compliance report and closed. No further comment.	Compliant

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			to be approved by the PCA		
B39	2. Details of the floor finishes within Bays 1 -2 North, the central spine, Blacksmith area in Bays 1 and 2, and the public circulation areas within Bays 3-4a that are not within a tenancy - CC4 - Services and Base Building fit out	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in compliance report 2 and closed. No further comment.	Compliant
B39	3. Detailed plans of the fit out for Bay 1-2 south (i.e. Blacksmith and Hard Arts area) - CC4 - Services and Base Building fit out	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in compliance report 2 and closed. No further comment.	Compliant
B39	4. Detailed design of the ground floor heritage interpretation and exhibition space and barrier between the blacksmith/hard arts space - CC4 - Services and Base Building fit out	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in compliance report 2 and closed. No further comment.	Compliant

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B39	5. Details of the proposed materiality of the design barriers - CC4 - Services and Base Building fit out	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in compliance report 2 and closed. No further comment.	Compliant
B39	6. Detailed plans of the proposed materials and finishes of the Bay 2/3 wall - CC4 - Services and Base Building fit out	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in compliance report 2 and closed. No further comment.	Compliant
B39	7. Detailed plans of the Bay 4/5 wall including fire separation concept - CC3 - Structure	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in the first compliance Report and closed. No further action.	Compliant

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B39	8. Detailed plans of the lift, stair and tunnel structure in Bay 3 and Blacksmith viewing platform - CC3 - Structure	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in the first compliance Report and closed. No further action.	Compliant
B39	9. Detailed plans of the proposed materials and finishes of the new corner retail annex adjacent to Bay 1 - CC3 Structure	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in the first compliance Report and closed. No further action.	Compliant
B39	10. Detailed plans of the travelator design, its balustrade design and heritage interpretation design. - CC3 – Structure	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in the first compliance Report and closed. No further action.	Compliant

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B39	11. Details of the proposed public amenities and mezzanine levels and the methods of protection to significant heritage fabric - CC3 – Structure	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in the first compliance Report and closed. No further action.	Compliant
B39	12. Details of the extent of existing heritage superstructure that will be removed. CC3 - Structure	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in the first compliance Report and closed. No further action.	Compliant
B39	13. Details of the materials to be used for recladding the roof, and roof level service tower and details of the exact location and extent of the removal of the existing smoke attenuation louvres. CC5 – Façade and Roof	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in the first compliance Report and closed. No further action.	Compliant
B39	14. Details of the roof platforms and their structural supports. CC3 - Structure	Construction	Drawings to be prepared in	Reported on in the first compliance Report and closed. No further action.	Compliant

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			consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA		
B39	15. Details of the internal and external lighting - CC4 – Services and base building fit out	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in compliance report 2 and closed. No further comment.	
B39	16. Details of external substation works including proposed materials and finishes. CC4 – Services and base building fit out	Construction	Drawings to be prepared in consultation with the relevant authorities and submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA	Reported on in compliance report 2 and closed. No further comment.	
B39	17. Detail of exterior material palette - CC5 -Façade and roof	Construction	Drawings to be prepared in consultation with the relevant authorities and	Reported on in the first compliance Report and closed. No further action.	Compliant



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			submitted to the Planning Secretary. Consultation and evidence of submission to be approved by the PCA		
	ROOF PLANT LAYOUT				
B40	The layout for the roof plant equipment is to be designed to be as compact as possible, and located centrally, to reduce visual clutter. Details are to be provided to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate.	Construction	PCA and heritage consultant approval required to satisfy	Reported on in compliance report 2 and closed. No further comment.	Compliant
	HERITAGE CONSULTANT				
B41	<p>A suitably qualified and experienced heritage consultant must be nominated for this project throughout the design development, contract documentation and construction of the development. The heritage consultant:</p> <p>(a) must provide input into the detailed design</p> <p>(b) shall inspect the demolition and removal of material</p> <p>(c) is to provide ongoing advice to tradespeople undertaking the proposed works during construction to ensure significant fabric is not damaged</p> <p>(d) is to be involved in the resolution of all matters where existing significant fabric and spaces are subject to preservation, adaptive reuse, recording and demolition</p> <p>(e) is to have full access to the site and is to be authorised to respond directly to Council and Heritage Council if information or clarification is required</p>	Construction	Evidence of commission on the requirements a-f to be provided to the PCA prior to the first construction certificate	<p>Reported on in compliance report 1 and 2 and closed.</p> <p>Curio's involvement in accordance with the condition is still ongoing throughout construction.</p>	Compliant

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	(f) must be satisfied that all work has been carried out in accordance with the conditions of this consent.  Evidence of commission on the above terms is to be provided to the PCA prior to the issue of the first Construction Certificate or commencement of works on the site, whichever is earlier.				
	HERITAGE - NEW SERVICES				
B42	The Heritage Consultant must be consulted regarding the introduction of new services, including electrical and hydraulic, to ensure this occurs with minimal impact to significant fabric and in accordance with the CMP. Detailed plans, identifying the location of services to ensure routes are planned to minimise impacts to significant fabric and spaces, must be prepared to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate.	Construction	Statement of Satisfaction (SOS) to be provided by Curio that they are satisfied with the new services in the building. PCA to approve the Statement of Satisfaction.	All relevant documentation was presented and issued to Curio for approval. Curio provided a statement of Satisfaction to Mirvac and issued to the PCA.	Compliant
B42A	The heritage consultant must be consulted regarding the installation of the photovoltaic panels on the roof of the Locomotive Workshop, to avoid any physical impacts on the heritage fabric of the Locomotive Workshop, including heritage trusses, internal roof sheeting and any historic flues or pipes. The installation of the panels is to be supervised by the heritage consultant, at periodic hold points set out by the heritage consult, and be installed around all flues, pipes and other items of heritage significance.	Construction	Statement of Satisfaction (SOS) to be provided by Curio that they are satisfied with the new services in the building.	Modification of Development Consent was issued on 2 September 2020 and installation of the photovoltaic panels was completed during the Audit Period. The Construction Certificate (CC5b) was issued on 6 November 2020.  Curio Projects were consulted regarding the PV panels. A Statement of Satisfaction from Curio Projects acknowledging and approving the design documentation and information for the PV installation and additional door at Bay 1 South Annexe was provided to confirm consultation with the heritage consultant.	Compliant
B42B	Prior to the commencement of construction of the additional blacksmith flues and extraction hood, the heritage consultant must be consulted regarding their	Construction	Compliance with condition		Not triggered

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	installation, to avoid any impacts on the heritage fabric of the Locomotive Workshop, including heritage trusses, historic roof sheeting and any historic flues or pipes. The installation of the blacksmith flues and extraction hoods is to be supervised by the heritage consultant.				
	BRICK PAVING INNOVATION PLAZA				
B43	The brick paving located in Innovation Plaza, adjacent to the entry of the Locomotive Workshop loading dock entry, is to be capable of withstanding trafficable loads up to the AS 2890 definition of a Heavy Rigid Vehicle and the proposed frequency of trucks. Details are to be provided to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate.	Construction	Design Statement and drawings to be approved by PCA	The paving in Innovation plaza has not occurred yet.	Not triggered
	GLAZING				
B44	All new external glazing used for the Locomotive is to be clear. <del>Tinted glazing is not permitted.</del> Frosted glazing is only permitted to be used in existing heritage arched windows of the Locomotive Workshop, to match surrounding frosted glazing within the same window. Where frosted glazing is to be used, the project heritage consultant must, prior to installation, verify consistency with the appearance of the existing heritage fabric.	Construction	SOS to be provided for any frosted glazing to be installed	No frosted glazing has been used during the reporting period.	Not triggered
	TENANCY FIT OUT GUIDELINES				
B45	Prior to the issue of the Stage 4 Construction Certificate, tenant fit-out design guidelines for the following areas within Bays 1-4a within the Locomotive Workshop are to be prepared, in consultation with the Heritage Council and Council, and to the satisfaction of the Planning Secretary: (a) Bays 1 and 2 north (ground floor and mezzanine level);	Construction	Tenancy Guidelines to be prepared in consultation with HC and CoS and issued to Planning Secretary for approval.	A-E refers to contents required in the report and therefore not split out. Reported on the previous compliance report. Closed	Compliant

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(b) Bays 3-4a north (ground floor);  
(c) Bays 3-4a north (first floor);  
(d) Bays 3-4a south (ground floor and first floor);

The guidelines are to be consistent with the visual sight line zone (as shown on the approved ground floor plan), which requires:

(a) all balustrades within the zone to be semi-framed glazing  
(b) tenancy walls and fit outs within the zone are to be low height (maximum of 1200 mm) and open or transparent  
(c) tenancy walls are to be glazed and any moveable heritage items are integrated into the fit out  
(d) fit out items must not cover or obscure the heritage structure or equipment  
(e) full height walls on level 1 are to be avoided in the zone or glazed if proposed

The guidelines are to require individual lighting plans for each tenancy, that are consistent with the lighting design prepared for the Locomotive Workshop.

The tenant fit-out guidelines are to be prepared to ensure future tenants are aware of the cultural significance of the Locomotive Workshop, the ongoing operations of the Blacksmith who is permitted to continue to operate 24 hours a day and 7 days per week, the Blacksmith Plan of Management and the requirements for their on-going conservation and management. The guidelines are to be informed by the Stage 1 and final or draft Stage 2 Heritage Interpretation Plans, the ATP Conservation Management Plan and relevant NSW Heritage Division guidelines. The guidelines are to include details of lighting design to be consistent with the overall lighting design for the Locomotive Workshop.

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	The Applicant must ensure all future development applications for fit-out works are consistent with the approved fit-out design guidelines.				
	BLACKSMITH PLAN OF MANAGEMENT				
B46	A plan of management for the continued operation of the Blacksmith must be submitted and endorsed by the Secretary prior to the issue of any construction certificate. The plan of management must be prepared by the Applicant and include:  a) the continued permitted hours of operation: 24 hours and day 7 days per week	Construction	Plan of management to be prepared and endorsed by the Planning Secretary.	Reported on in previous compliance report. Closed	Compliant
B46	b) a complaint register, outlining the nature and location of compliant/s. The register must also outline what if any mitigation was undertaken by the Applicant. The register must be provided to the Secretary every 6 months.	Operation	Complaints register to be issued every 6 months	Although no complaints were made regarding the Blacksmith during the reporting period, Mirvac has not submitted a copy of the complaints register.	Non-compliant
	MOVEABLE HERITAGE				
B47	The conservation and management of moveable heritage items is to be informed by an experienced moveable heritage consultant with a working knowledge of the site. The placement, storage and interpretation of all moveable heritage items housed within the Locomotive Workshop is required to be finalised as part of the Stage 2 Heritage Interpretation Plan and must occur in accordance with the Heritage Impact Statement, the requirements of the Conservation Management Plan (CMP), Heritage Asset Management Strategy (HAMS) and the Moveable Collections Management Plan (MCMP).	Construction	Details of moveable heritage conservation to be included in the Stage 2 HIP. To be submitted prior to CC1.	Reported on in the first compliance report and closed. No further changes to the reports.	Compliant
B48	<del>The MCMP is to be updated and completed, in consultation with the Heritage Council and Council, within 12 months of the issue of the first Occupation Certificate for the Locomotive Workshop, to provide detailed recommendations on the future</del>	<del>Post-Occupation</del>	<del>MCMP to be updated in consultation with Heritage Council and Council</del>	<del>Condition B48 has been deleted and details moved to Condition E26. Refer to Condition E26.</del>	<del>Not applicable</del>

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	<del>conservation, management, display conditions, storage, security, and identify the location and management of all moveable heritage.</del>				
	<b>PART C PRIOR TO COMMENCEMENT OF WORKS</b>				
	NOTIFICATION OF COMMENCEMENT				
C1	The Department must be notified in writing of the dates of commencement of physical work and operation at least 48 hours before those dates.	Construction and operation	Notice to be issued to the Department prior to construction starting and operation.	Reported on in the previous compliance report.	Compliant
C2	If the construction or operation of the development is to be staged, the Department must be notified in writing at least 48 hours before the commencement of each stage, of the date of commencement and the development to be carried out in that stage.	Construction	Notice to be issued to the Department prior to construction certificates for stages 1-6.	Mirvac did not notify the DPIE 48 hours prior to the commencement of use / operations for IOC 4 and IOC 5.	Non-Compliant
	ACCESS TO INFORMATION				
C3	At least 48 hours before the commencement of construction until the completion of all works under this consent, or such other time as agreed by the Planning Secretary, the Applicant must:  (a) make the following information and documents (as they are obtained or approved) publicly available on its website:  (i) the documents referred to in condition A2 of this consent;  (ii) all current statutory approvals for the development;  (iii) all approved strategies, plans and programs required under the conditions of this consent;  (iv) regular reporting on the environmental performance of the development in accordance with the reporting arrangements in any plans or programs approved under the conditions of this consent;	At all times	Ensure documents are publicly available on the project website.	The 'Construction & Development Updates' and 'South Eveleigh Construction Updates' websites have all available documents on the website: <a href="https://southeveleigh.mirvac.com/about/construction-and-development-updates">https://southeveleigh.mirvac.com/about/construction-and-development-updates</a>  Mirvac have a tracking register with all the required documents listed and these are tracked in accordance with whether or not they are available yet and are uploaded onto the website. Mirvac are also incorporating a date uploaded column to help the IEA track the timing.	Compliant

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	<p>(v) a comprehensive summary of the monitoring results of the development, reported in accordance with the specifications in any conditions of this consent, or any approved plans and programs;</p> <p>(vi) a summary of the current stage and progress of the development;</p> <p>(vii) contact details to enquire about the development or to make a complaint;</p> <p>(viii) a complaints register, updated monthly;</p> <p>(ix) audit reports prepared as part of any Independent Audit of the development and the Applicant's response to the recommendations in any audit report;</p> <p>(x) any other matter required by the Planning Secretary; and</p>				
C3	(b) keep such information up to date, to the satisfaction of the Planning Secretary.	At all times	Ensure documents are publicly available on the project website are kept up to date	<p>The 'Construction &amp; Development Updates' and 'South Eveleigh Construction Updates' websites have all available documents on the website: <a href="https://southeveleigh.mirvac.com/about/construction-and-development-updates">https://southeveleigh.mirvac.com/about/construction-and-development-updates</a>.</p> <p>Document control is monitored each month via the tracking register spreadsheet.</p>	Compliant
	COMPLIANCE REPORTING				
C4	No later than 6 weeks before the date notified for the commencement of construction, a Compliance Monitoring and Reporting Program prepared in accordance with the Compliance Reporting Post Approval Requirements (Department 2018) must be submitted to the Department.	Pre-construction	Submit Compliance Monitoring and Reporting Program 6 weeks before the	Reported on in previous compliance report and closed. No further update.	Compliant

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			commencement of construction		
C5	Compliance Reports of the project must be carried out in accordance with the Compliance Reporting Post Approval Requirements (Department 2018).	Construction	Prepare and submit Compliance Reports in accordance with the PARs	The Pre-Operation Compliance Report was submitted to the Department prior to commencement of operation.	Compliant
C6	The Applicant must make each Compliance Report publicly available no later than 60 days after submitting it to the Department and notify the Department in writing at least 7 days before this is done.	Construction	Notifications required in accordance with condition and compliance reports to be uploaded onto public website.	The Pre-Operation Compliance Report and Compliance Report 3 were not made publicly available within the required 60-day timeframe. Mirvac notified the Department of this non-compliance in accordance with Condition A13 on 05/02/21. They also notified that the reports would be made publicly available on 12/02.21, which was 7 days later and met the timeframe for notification.	Non-compliant
INDEPENDENT AUDIT					
C7	No later than 4 weeks before the date notified for the commencement of construction, an Independent Audit Program prepared in accordance with the Independent Audit Post Approval Requirements (Department 2018) must be submitted to the Department.	Pre-Construction	Submit IA program 4 weeks prior to the start of construction	Reported on in previous compliance report and closed. No further update.	Compliant
C8	Independent Audits of the development must be carried out in accordance with: (a) the Independent Audit Program submitted to the Department under condition C7 of this consent; and	Construction	Independent Auditor to be engaged in accordance with program.	IEA 3 will be completed within 52 weeks of the commencement of operation, which was 05/11/20.	Compliant
C8	(b) the requirements for an Independent Audit Methodology and Independent Audit Report in the Independent Audit Post Approval Requirements (Department 2018).	Construction	Independent Auditor to be engaged in accordance with PARs	IEA 3 will be completed within 52 weeks of the commencement of operation, which was 05/11/20.	Compliant



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C9	In accordance with the specific requirements in the Independent Audit Post Approval Requirements (Department 2018), the Applicant must:  (a) review and respond to each Independent Audit Report prepared under condition C8 of this consent	Construction	Mirvac to review and respond to each IEA.	IEA 3 will be completed within 52 weeks of the commencement of operation, which was 05/11/20.	Compliant
C9	(b) submit the response to the Department; an	Construction	IEA to be issued to the Department	IEA 3 will be completed within 52 weeks of the commencement of operation, which was 05/11/20.	Compliant
C9	(c) make each Independent Audit Report and response to it publicly available no later than 60 days after submission to the Department and notify the Department in writing at least 7 days before this is done.	Construction	Notify DPIE 7 days before uploading the document to the website which must be within 60 days of submitting the report	Mirvac notified the DPIE they would make the 2020 IEA report and Mirvac's response available on the South Eveleigh website on 29/11/20, which met the requirements. These documents were made available to the public within 60 days of the report being submitted to the DPIE.	Compliant
	COMMUNITY COMMUNICATION STRATEGY				
C10	The Community Communication Strategy prepared and approved under SSD 7317 shall be updated in consultation with the Community Liaison Group and heritage consultant/s and or expert/s (Condition B10) to provide mechanisms to facilitate communication between the Applicant, the relevant Council and the community (including adjoining affected landowners and businesses, and others directly impacted by the development), during the design and construction of the development and for a minimum of 12 months following the completion of construction.	Pre-construction and construction	Update the CCS 7317 for first construction certificate and run meetings 12 months after the completion of works	CLG meetings are ongoing and in accordance with condition. Meetings are held monthly and minutes are recorded.	Compliant
C11	The Community Communication Strategy must:  (a) identify people to be consulted during the design and construction phases;	Pre-Construction	The CCS must be updated to include details a-d	Requirements a-d have not been split as they are requirements of the strategy (one document). This was reported on in the first compliance report and still compliant.	Compliant

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	<p>(b) set out procedures and mechanisms for the regular distribution of accessible information about or relevant to the development;</p> <p>(c) provide for the formation of community-based forums, if required, that focus on key environmental management issues for the development;</p> <p>(d) set out procedures and mechanisms:</p> <p>(i) through which the community can discuss or provide feedback to the Applicant;</p> <p>(ii) through which the Applicant will respond to enquiries or feedback from the community; and</p> <p>(iii) to resolve any issues and mediate any disputes that may arise in relation to construction and operation of the development, including disputes regarding rectification or compensation.</p>				
C12	The Community Communications Strategy must be submitted to the Planning Secretary for approval no later than one month prior the commencement of any work.	Pre-Construction	Submit CCS to Planning Secretary for approval one month before construction work.	Reported on in the first compliance report. No further action.	Compliant
C13	Work for the purposes of the development must not commence until the Community Communication Strategy has been approved by the Planning Secretary, or within another timeframe agreed with the Planning Secretary.	Pre-Construction	Submit CCS to Planning Secretary for approval before construction work.	Reported on in the first compliance report. No further action.	Compliant
C14	The Community Communication Strategy, as approved by the Planning Secretary, must be implemented for a minimum of 12 months following the completion of construction.	Construction	CCS implemented for 12 months following construction	Reported on in the first compliance report, the previous CCS is still current and being implemented.	Compliant
	COMPLIANCE				
C15	The Applicant must ensure that all of its employees, contractors (and their sub-contractors) are made aware of, and are instructed to comply with, the	At all times	Ensure relevant conditions of consent	All employees are made aware of the Consent Conditions and their obligations during Induction (online).	Compliant

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	conditions of this consent relevant to activities they carry out in respect of the development.		are communicated to relevant personnel	Additional site-specific induction training is then provided by the HSE Officer.  Contractors are also notified of their obligations to comply with Consent Conditions during the tender process where a copy of the Development Consent is provided as part of the tender documentation.	
	UTILITY SERVICES				
C16	Prior to the commencement of work, the Applicant is to obtain written approval from the utility authorities (electricity supply authority, an approved telecommunications carrier and an approved gas carrier, where relevant) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.	Pre-Construction	Relevant utility approvals required prior to construction	Reported on in first report. No further update	Compliant
	HOARDING				
C17	A separate application under section 138 of the Roads Act 1993 is to be made to the relevant road authority to erect a hoarding and/or scaffolding in a public road (if required) and such application is to include:  (a) architectural, construction and structural details of the design as well as proposed artwork (b) structural certification prepared and signed by an appropriately qualified practising structural engineer.  Evidence of the issue of a Structural Works Inspection Certificate and structural certification will be required prior to the commencement of construction works on site.	Pre-Construction	Relevant approvals required prior to construction	Reported on in first report. No further update	Compliant
	GEOTECHNICAL REPORTS				

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C18	<p>Prior to the commencement of any excavation works on site, the Applicant shall submit to the PCA, the results of a detailed geotechnical investigation on the site. The report is to address such matters as:</p> <ul style="list-style-type: none"> <li>(a) appropriate drilling methods and techniques</li> <li>(b) vibration management and monitoring</li> <li>(c) dilapidation survey</li> <li>(d) support and retention of excavated faces</li> <li>(e) hydrogeological considerations.</li> </ul> <p>The recommendations of the report are to be implemented during the course of the works.</p>	Pre-Construction	Relevant approvals required prior to construction	Items a-e are requirements of one document and therefore not broken up. Reported on in first report. No further update.	Compliant
	ARCHAEOLOGY				
C19	If any unexpected archaeological relics are uncovered during the course of construction, all work shall immediately cease in that area and a written assessment of the nature and significance of the resource, along with a proposal for the treatment of the remains shall be submitted for the approval of the Planning Secretary.	Construction	Follow details of condition		Not triggered
C20	If any unexpected Aboriginal objects are uncovered during the course of construction, all work shall immediately cease in that area and a written assessment of the nature and significance of the resource, along with a proposal for the treatment of the object(s) shall be submitted for the approval of the Planning Secretary.	Construction	Follow details of condition		Not triggered
C21	Should any of the subterranean structure of the building, such as brick arch footings, or other rail associated infrastructure be revealed during excavation or site preparation works, then works must cease and an appropriately qualified historical archaeologist must investigate and archivally record any of the building fabric or rail associated infrastructure found. A final archival record must be	Construction	Archival report to be submitted to Planning Secretary, Council and Heritage Council prior to first occupation certificate		Not Triggered

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	submitted to the Planning Secretary, Council and the Heritage Council, prior to the issue of the first Occupation Certificate for the Locomotive Workshop.				
	DISCOVERY OF ABORIGINAL HERITAGE				
C22	In the event that surface disturbance identifies a new Aboriginal object, all works must halt in the immediate area to prevent any further impacts to the object(s). A suitably qualified archaeologist and the registered Aboriginal representatives must be contacted to determine the significance of the objects. The site is to be registered in the Aboriginal Heritage Information Management System (AHIMS) which is managed by OEH and the management outcome for the site included in the information provided to AHIMS. The Applicant must consult with the Aboriginal community representatives, the archaeologist and OEH to develop and implement management strategies for all objects/sites.	Construction	Follow details of condition		Not triggered
	HERITAGE – ARCHIVAL RECORD				
C23	A photographic archival recording of all areas of Bays 1 – 4a within the Locomotive Workshop must be prepared prior to the commencement of works, and following completion of works to Bays 1 – 4a, in accordance with the NSW Heritage Division publication 'How to prepare archival records of heritage items and Photographic recording of Heritage Items using Film or Digital Capture'.	Construction	Submit archival recording prior to construction and following completion of works.	Reported on the first compliance report regarding prior to construction. The completion of works requirement is not triggered.	Compliant
C24	Any significant fabric that is proposed to be removed must be recorded, tagged and securely stored on site for future use. A removal and storage methodology must be provided to the Heritage Council prior to the commencement of works.	Pre-construction	Methodology to be submitted prior to the commencement of works	Reported on in first compliance report. No further action	Compliant
	PRESERVATION OF SURVEY MARKS				
C25	All works in City of Sydney Council streets must ensure the preservation of existing permanent survey marks (a brass bolt, or a lead plug holding a brass	Pre-Construction	<ul style="list-style-type: none"> <li>Compliance with condition 48 hours prior to</li> </ul>	Reported on in previous compliance report. No further action	Compliant

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	tack, covered by a cast iron box). At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Project Manager Survey / Design Services to arrange for the recovery of the mark.  A fee must be paid to the Council for the replacement of any permanent survey mark removed or damaged in accordance with the City's Schedule of Fees and Charges (Reinstatement of Survey Box).		commencement of works		
	<b>PROTECTION OF SURVEY INFRASTRUCTURE</b>				
C26	Prior to the commencement of any work on site, a statement prepared by a Surveyor registered under the Surveying Act 2002 must be submitted to Council verifying that a survey has been carried out in accordance with the Surveyor General's Direction No. 11 – Reservation of Survey Infrastructure. Any Permanent Marks proposed to be or have been destroyed must be replaced, and a "Plan of Survey Information" must be lodged at the Land and Property Management Authority, to ensure that the survey control infrastructure and cadastral framework are preserved for the public benefit and in accordance with the Surveying Act 2002.	Pre-Construction	<ul style="list-style-type: none"> <li>Compliance with condition prior to commencement of works</li> </ul>	Reported on in previous compliance report. No further action	Compliant
	<b>PART D DURING CONSTRUCTION</b>				
	<b>DEMOLITION</b>				
D1	Demolition work must comply with Australian Standard AS 2601-2001 The demolition of structures (Standards Australia, 2001). The work plans required by AS 2601-2001 must be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance must be submitted to the PCA before the commencement of works.	Construction	Work plans and the statement of compliance must be submitted to the PCA before the commencement of works.	Reported on in previous compliance report. No further action	Compliant
	<b>CONSTRUCTION HOURS</b>				

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D2	Construction, including the delivery of materials to and from the site, may only be carried out between the following hours:  (a) between 7:30 am and 5:30 pm, Mondays to Fridays inclusive; and  (b) between 7:30 am and 3:30 pm, Saturdays.	Construction	Works to occur within DA hours	Ongoing. Construction hours are specified in contractors' scope of works and adhered to by Mirvac Construction.	Compliant
D3	No work may be carried out on Sundays or public holidays.	Construction	Works to occur within DA hours	The construction site is closed on Sundays and public holidays	Compliant
D4	Activities may be undertaken outside of these hours if required:  (a) by the Police or a public authority for the delivery of vehicles, plant or materials; or	Construction	Note		Not triggered
D4	(b) in an emergency to avoid the loss of life, damage to property or to prevent environmental harm.	Construction	Note		Not triggered
D5	Notification of such activities must be given to affected residents before undertaking the activities or as soon as is practical afterwards.	Construction	Note		Not triggered
D6 (as modified)	<del>Rock breaking, rock hammering, sheet piling, pile driving and similar activities may only be carried out between the following hours:  (a) 9.00 am to 12.00 pm, Monday to Friday;  (b) 2.00 pm to 5.00 pm Monday to Friday; and  (c) 9.00 am to 12.00 pm, Saturday.</del>	n/a			Deleted under SSD 8517 MOD 2
	REMEDIATION				
D7	The Proponent shall undertake the remediation works in accordance with the recommendations of the Remedial Action Plan (RAP) prepared by JBS&G, dated 15 June 2016 (Ref: 51142/104280 (Revision 0)). Any amendments to the approved Remedial Strategy must be approved by the Site Auditor.	At All times	Remediation works to be in accordance with RAP document	Staged remediation works have been completed. A Site Audit Report (SAR) was issued by EPA Accredited Site Auditor 1505 Site Auditor). The Site Auditor found that "remediation works	Compliant

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				undertaken were appropriate and generally in accordance with the RAP".	
	WASTE CLASSIFICATION AND DISPOSAL				
D8	The Applicant must ensure that all waste generated by the development is classified and disposed of in accordance with the EPA's Waste Classification Guidelines 2009. These Guidelines may indicate the material will need to be immobilised prior to disposal. If this is the case, the Applicant must apply to the EPA for a site-specific immobilisation approval.	Construction	Compliance with EPA's Waste Classification Guidelines during works	Waste management during remediation works onsite have occurred in accordance with D8.	Compliant
	UTILITIES				
D9	The Applicant shall be responsible for all public utility adjustment/ relocation works, necessitated by the development and as required by the various public utility authorities and/ or their agents.	Construction	Applicant responsible for any further utility approvals	Reported on in previous compliance report. No further action	Compliant
	CONSTRUCTION NOISE CRITERIA				
D10	The development shall be constructed with the aim of achieving the construction noise management levels detailed in the Interim Construction Noise Guideline (Department of Environment and Climate Change, 2009) or within the noise limits predicted in the applicant's Noise and Vibration Report that formed part of the EIS. All feasible and reasonable noise mitigation measures shall be implemented and any activities that could exceed the construction noise management levels shall be identified and managed in accordance with the approved CNVMP.	Construction	Compliance with D10 noise required	The previously installed four noise and vibration monitors at Bay 14 continue to be used with an auto alert being sent to the Mirvac Project Manager when noise levels are greater than 50dBA. Mirvac note that two exceedances on 31/08/21 and 22/09/21 were registered where the cumulative exceedance was greater than 60 minutes due to construction activities. When an alert is received, actions are taken to investigate any excessive noise.	Compliant
D11	Any noise generated during the construction of the development must not be offensive noise within the meaning of the Protection of the Environment Operations Act, 1997 or exceed approved noise limits for the site.	Construction	Compliance with D11 noise required	The previously installed four noise and vibration monitors at Bay 14 continue to be used with an auto alert being sent to the Mirvac Project Manager when noise levels are greater than 50dBA. Mirvac note that two exceedances on 31/08/21 and 22/09/21 were registered where the cumulative exceedance was greater	Compliant



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				than 60 minutes due to construction activities. When an alert is received, actions are taken to investigate any excessive noise.	
D12	All work, including demolition, excavation and building work must comply with the Australian Standard 2436-2010 'Guide to Noise and Vibration Control on Construction, Demolition and Maintenance Sites' or this consent where different.	Construction	Compliance with D11 noise required	The previously installed four noise and vibration monitors at Bay 14 continue to be used with an auto alert being sent to the Mirvac Project Manager when noise levels are greater than 50dBA. Mirvac note that two exceedances on 31/08/21 and 22/09/21 were registered where the cumulative exceedance was greater than 60 minutes due to construction activities. When an alert is received, actions are taken to investigate any excessive noise.	Compliant
SAFE WORK AUSTRALIA REQUIREMENTS					
D13	To protect the safety of work personnel and the public, the work site shall be adequately secured to prevent access by unauthorised personnel, and work shall be conducted at all times in accordance with relevant Safe Work Australia requirements.	Construction	Ensure requirements of condition adhered to on site.	<p>There is 24 hr, 7 days/week security patrols for the South Eveleigh precinct including the Locomotive Workshops.</p> <p>There have been no notifiable incidents reported to Safe Work Australia.</p> <p>All site entrances are secured with road traffic controllers present at the main site vehicle entrance.</p>	Compliant
HAZARDOUS AND INDUSTRIAL WASTE					
D14	Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the Office of Environment and Heritage and the NSW Work Cover Authority pursuant to the provisions of the following:	Construction	Remove waste in accordance with requirements a-d of D14.	Mirvac continue to remove waste in accordance with guidelines.	Compliant

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	<p>(a) Protection of the Environment Operations Act 1997;</p> <p>(b) Protection of the Environment Operations (Waste) Regulation 2014;</p> <p>(c) Waste Avoidance and Recovery Act 2001; and</p> <p>(d) Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017.</p>				
	COVERING OF LOADS				
D15	All vehicles involved in the excavation and/ or demolition process and departing from the property with materials, spoil or loose matter must have their loads fully covered before entering the public roadway.	Construction	Ensure contractors comply with condition	Excavation and Demolition works are completed and therefore no further action or comment required. Closed	Compliant
	VEHICLE CLEANSING				
D16	Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.	Pre-construction and construction	Measures implemented prior to commencement of works and ongoing	Reported on in previous report and closed.	Compliant
	NO OBSTRUCTION OF PUBLIC WAY				
D17	The public way must not be obstructed by any materials, vehicles, refuse skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by the Secretary to stop all work on site.	Construction	Ongoing requirement to comply with	Traffic controllers are engaged by Mirvac to manage the traffic and pedestrians to ensure the safety of pedestrians and the public ways are not obstructed.	Compliant
	BUNDING				
D18	The Applicant shall store all chemicals, fuels and oils used on-site in appropriately banded areas in accordance with the requirements of all relevant Australian Standards, EPL requirements and/or	Construction	Ensure compliance with D18 onsite	All onsite personnel are aware of their obligations in accordance with D18.	Compliant

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	EPA's Storing and Handling Liquids: Environmental Protection – Participants Handbook.				
	SITE NOTICE				
D19	<p>A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, PCA and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:</p> <p>(a) minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;</p> <p>(b) the notice is to be durable and weatherproof and is to be displayed throughout the works period</p> <p>(c) the approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and</p> <p>(d) the notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.</p>	At all times	Site notice onsite	The previous larger site compound comprising site offices within a hoarded area has been removed and only a smaller compound remained with temporary site fencing. A site notice was missing from the gate to the eastern site compound.	Non-Compliant
	IMPACTS OF BELOW GROUND (SUB SURFACE) WORKS – NON-ABORIGINAL OBJECTS				
D20	If during the course of construction the Applicant becomes aware of any previously unidentified heritage object(s), all work likely to affect the object(s) shall cease immediately and the Heritage Council of New South Wales shall be notified immediately in accordance with section 146 of the Heritage Act 1977. Relevant works shall not recommence until written authorisation from the Heritage Council of NSW is received by the Applicant.	Construction	Follow requirements of condition if triggered.		Not triggered
	IMPACTS OF BELOW GROUND (SUB SURFACE) WORKS – ABORIGINAL OBJECTS				

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D21	If during the course of construction the Applicant becomes aware of any previously unidentified Aboriginal object(s), all work likely to affect the object(s) shall cease immediately and the Office of Environment and Heritage informed in accordance with section 89A of the National Parks and Wildlife Act 1974. Relevant works shall not recommence until written authorisation from Office of Environment and Heritage is received by the Applicant.	Construction	Follow requirements of condition if triggered.		Not triggered
PROTECTION OF TREES					
D22	No street trees within the Public Way are to be trimmed or removed unless it forms a part of this development consent or prior written approval from the relevant Authority is obtained or is required in an emergency to avoid the loss of life or damage to property.	Construction	Separate approval required for any trimming in public way	Reported on in first compliance report. No change.	Compliant
D23	All street trees within the Public Way shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction due to an emergency, shall be replaced, to the satisfaction of the relevant Authority.	Construction	Trees to be protected	Reported on in first compliance report. No change.	Compliant
D24	All trees on the subject site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.	Construction	Trees to be protected	Reported on in first compliance report. No change.	Compliant
HOARDING REQUIREMENTS					
D25	The following hoarding requirements shall be complied with:  (a) No third party advertising is permitted to be displayed on the subject hoarding/fencing.	Construction	No third-party advertising on hoardings	There is no third party advertising or graffiti on the hoarding.	Compliant
D25	(b) The construction site manager shall be responsible for the removal of all graffiti from any construction hoardings or the like within the construction area within 48 hours of its application.	Construction	Remove graffiti if there is any	There is no third party advertising or graffiti on the hoarding.	Compliant

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	ROOF LANTERNS				
D26	Any removed roof lanterns must be securely stored for future use.	Construction	Note	The roof lanterns are in use in some of the bays. Approximately 20 of the roof lanterns remain unused and are now stored in a warehouse facility in Campbelltown. Mirvac are considering how the remaining lanterns may best be used and they may be handed over to the next fit-out contractor.	Compliant
	PAVING MATERIALS				
D27	The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".	Construction	Design Statement confirming compliance	Slip resistance testing was carried out by Safe Environments Pty Ltd in February 2021. The slip test results found that all areas were compliant.	Compliant
	SURVEY CERTIFICATE				
D28	A Survey Certificate prepared by a Registered Surveyor must be submitted to the PCA at the completion of the building works certifying the location of the building in relation to the boundaries of the allotment.	Completion of works	Certificate to be issued to PCA		Not triggered
	<b>PART E PRIOR TO OCCUPATION OR COMMENCEMENT OF USE</b>				
	PROTECTION OF PUBLIC INFRASTRUCTURE				
E1	Unless the Applicant and the applicable authority agree otherwise, the Applicant must prior to commencement of the first use of the commercial bays (Bays 5-15) of the Locomotive Workshop:  (a) repair, or pay the full costs associated with repairing, any public infrastructure that is damaged by carrying out the development; and	Commencement of Use Bays 5-15	Rectify damage	No damage to public infrastructure has occurred.	Compliant

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E1	(b) relocate, or pay the full costs associated with relocating any infrastructure that needs to be relocated as a result of the development.	Commencement of Use Bays 5-15	Pay costs	No public infrastructure has been relocated.	Compliant
REMEDICATION AND SITE VALIDATION					
E2	<p>Within 6 months of the completion of the remediation works on site, and prior to the issue of any Occupation Certificate, the Applicant shall submit a detailed Site Audit Summary report and Site Audit Statement and Validation Report to the EPA, the Planning Secretary, the Certifying Authority, and the Council. The validation and audit process may occur progressively to the satisfaction of the site auditor.</p> <p>A Section A Site audit statement must be prepared at the end of each stage of development, including the excavation and construction of the tunnel below Locomotive Workshop to Locomotive Street certifying the suitability of the land for the proposed use.</p> <p>The site audit must be prepared in accordance with the Contaminated Land Management Act 1997 and completed by a site auditor accredited by the EPA to issue Site Audit Statements.</p> <p>The site auditor must also verify that any excavated material disposed off-site, has been appropriately classified, validated, managed and the relevant approvals obtained in accordance with the relevant legislation and any relevant approved materials management plan/s.</p> <p>On completion of remediation works, the Council shall be notified in accordance with the relevant requirements of Clauses 17 and 18 of SEPP 55 - Remediation of Land.</p>	Pre-Occupation	Within 6 months or/and prior to the first OC a Site Audit Summary must be submitted to the relevant authorities noted in the condition and approved by the PCA.	The site audit summary was prepared and submitted on 05/02/21 prior to the approval of IOC4 on 22/03/21.	Compliant
CONTAMINATION - LONG TERM ENVIRONMENTAL MANAGEMENT PLAN					
E3	Prior to the issue of the first Occupation Certificate for Bays 1 – 4a, the Applicant shall prepare and implement a Long-Term Environmental Management	Pre-Occupation Certificate	Prepare LTEMP in accordance with requirements a-f of the	Reported on in previous compliance report.	Compliant

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	<p>Plan (LTEMP). The plan shall be prepared by a suitably qualified and experienced person, be submitted to an EPA Accredited Site Auditor for review and approval within one month of the completion of remediation works, unless otherwise agreed by the Secretary. The LTEMP shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>(a) a description of the nature and location of any contamination remaining on site;</li> <li>(b) provisions to manage and monitor any remaining contamination;</li> <li>(c) a groundwater monitoring program to assess the potential impact of fill material placed below ground water;</li> <li>(d) mechanisms to report results to relevant agencies;</li> <li>(e) triggers that would indicate if further remediation is required; and</li> <li>(f) details of any contingency measures that the Applicant would carry out to address any ongoing contamination.</li> </ul> <p>Upon completion of the remediation works, the Applicant shall manage the site in accordance with the LTEMP and any on-going maintenance of remediation notice issued by the EPA under the CLM Act.</p>		condition and submit for the first OC.		
	HERITAGE INTERPRETATION				
E4	<p>Within 12 months of the issue of the first Occupation Certificate for the Locomotive Workshop, the Applicant shall implement the proposals and recommendations of the approved Stage 2 Heritage Interpretation Plan for the Locomotive Workshop, including the physical elements and digital elements associated with the travelator.</p>	Post Occupation Certificate	Implement Stage 2 HIP requirements	<p>An extension for the completion of this Condition was granted by Heritage NSW on 29<sup>th</sup> March 2021. This extension allows Mirvac to complete the required management plans and strategy documents referenced in this Condition by 1<sup>st</sup> April 2022.</p>	Compliant

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E5	Future development applications must ensure that fit out works are consistent with the approved Stage 2 Heritage Interpretation Plan.	At all times	Reference Stage 2 HIP in tenant DA's	Tenant DA's are approved by Curio Projects who prepared the Stage 2 HIP, fitouts are approved in accordance with the Stage 2 HIP	Compliant
ONGOING CURATION, INTERPRETATION AND CONSERVATION					
E6	Within 12 months of the issue of the first occupation certification, the applicant must prepare a strategy in consultation with the Heritage Council and Council in regard to the on-going management of the cultural heritage tourism initiatives including curatorial programs, interpretation updates, and repairs and maintenance to moveable heritage assets. The strategy must include detail of ongoing funding.	Post Occupation Certificate	Prepare strategy to close out E6	An extension was for the completion of this Condition was granted by Heritage NSW on 29 <sup>th</sup> March 2021. The extension allows Mirvac to complete the required management plans and strategy documents referenced in this Condition by 1 <sup>st</sup> April 2022.	Compliant
SYDNEY WATER COMPLIANCE					
E7	A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.	Pre-Occupation Certificate	Obtain S73 Certificate	Reported on in compliance report 2. Closed	Compliant
OCCUPATION CERTIFICATE					
E8	An Occupation Certificate must be obtained from the PCA prior to commencement of occupation or use of the whole or any part of a new building, an altered portion of, or an extension to an existing building.	Pre-Operation	An OC must be issued prior to operation	IOC4 has been obtained on 22/03/21 for the travelator, public domain and LWS005 tenancy. IOC5 has been obtained on 18/05/21 for the remaining public Domain Bays 1-13 excluding the pedestrian crossing at Bay 7.	Compliant
PUBLIC DOMAIN WORKS					
E9 (as modified)	The works to the public domain are to be completed in accordance with the approved public domain plan and as shown in the Civil Works Staging Plan, Rev 4, prepared by Mirvac, dated 21/01/20. Staging is as follows:  - Innovation Plaza: prior to the commencement of use bays 1&2	Commencement of Use	Works to be completed in accordance with staging plan	During the Audit Period, only one of the three public domain staging works has been completed (i.e. for Locomotive Street Stage 1 under CC6). These works were completed in line with IOC4 (Travelator, pavilion, Bays 3-4a common areas and part public domain) which was issued on 22 March 2021. The first use of Bays 3-4a (ground level) was by IGA Supermarket which	Compliant



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	<p>Locomotive Street Stage 1: prior to the commencement of use of bays 3-4a (ground level)</p> <p>Locomotive Street Stage 2: prior to the commencement of use of bays 5-15</p>			<p>opened 28 April 2021, which is prior to the issue of the IOC4 for Locomotive Street Stage 1.</p> <p>The Innovation Plaza and Locomotive Street Stage 2 public domain works are still in progress.</p>	
	MECHANICAL VENTILATION				
E10	<p>Following completion, installation and testing of all the mechanical ventilation systems, the Applicant shall provide evidence to the satisfaction of the PCA, prior to the issue of the relevant Occupation Certificate, that the installation and performance of the all mechanical systems complies with:</p> <p>(a) the BCA;</p> <p>(b) Australian Standard AS1668 and other relevant codes;</p> <p>(c) the development consent and any relevant modifications; and</p> <p>(d) any dispensation granted by the New South Wales Fire Brigade and having regard to any approvals issued by the Independent Liquor and Gaming Authority (ILGA).</p>	Pre-Occupation certificate	Installation certificate to confirm requirements of condition a-d	Reported on in Compliance Report 2 and closed.	Compliant
	TRAVEL DEMAND MANAGEMENT				
E11	<p>The Applicant shall prepare a Work Place Travel Plan, in consultation with TfNSW, for the proposed development which must be approved by the Planning Secretary prior to issue of the first Occupation Certificate for Locomotive Workshop. The Plan shall be included in the staff induction information for incoming employees and shall aim to achieve the following:</p> <p>(a) Facilitate the sustainable and safe travel of staff;</p>	Pre-Occupation Certificate	Prepare Work Travel Plan and submit to the Planning Secretary for approval.	Mirvac has not issued the WPTP to all trading tenants as part of an Induction Pack.	Non-Compliant

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	<p>(b) Encourage high modal share for public transport, cycling and walking to work with flexible working arrangements;</p> <p>(c) Provide appropriate facilities at the site to enable staff and visitors to commute by sustainable transport modes;</p> <p>(d) Reduce the need to travel for work related activities;</p> <p>(e) Avoid parking on local streets in residential areas;</p> <p>(f) Establish a means of monitoring the mode share of employees and visitors;</p> <p>(g) Raise awareness of sustainable transport amongst staff; and</p> <p>(h) Reduce the number of car journeys associated with business travel by staff and visitors.</p>				
	<b>POST CONSTRUCTION DILAPIDATION REPORT</b>				
E12	<p>Prior to the commencement of first use of the commercial bays (5-15) of the Locomotive Workshop:</p> <p>(a) the Applicant shall engage a suitably qualified person to prepare a post-construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads;</p>	Commencement of first use of the commercial bays (5-15)	Prepare a post-construction dilapidation report at the completion of the construction works	A post-construction dilapidation report was issued by Van Der Mer at the completion of the construction works.	Compliant
	<p>(b) the report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:</p>	Commencement of first use of the commercial bays (5-15)	Comply with requirement of item	The post-construction dilapidation report was submitted to the PCA at the completion of the construction works.	Compliant
	<p>(c) compare the post-construction dilapidation report with the pre-construction dilapidation report required by these conditions; and</p>	Commencement of first use of the	Comply with requirement of item	The post-construction dilapidation report was submitted to the PCA at the completion of the construction works.	Compliant

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		commercial bays (5-15)			
	(d) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.	Commencement of first use of the commercial bays (5-15)	Comply with requirement of item	The post-construction dilapidation report was submitted to the PCA at the completion of the construction works.	Compliant
	(e) a copy of this report is to be forwarded to the Secretary and each of the affected property owners.	Commencement of first use of the commercial bays (5-15)	Comply with requirement of item	The post-construction dilapidation report was submitted to the PCA at the completion of the construction works.	Compliant
	FIRE SAFETY CERTIFICATION				
E13	Prior to the issue of the relevant Occupation Certificate, a Fire Safety Certificate shall be obtained for all the relevant Essential Fire or Other Safety Measures forming part of this consent. A copy of the Fire Safety Certificate must be submitted to the relevant authority and PCA and be prominently displayed in the building.	Relevant OC	Fire Safety Certificate to be obtained for relevant OC	Reported on in Compliance Report 2 and closed. A Fire Safety Certificate has been issued for the relevant OCS's: <ul style="list-style-type: none"> <li>- Interim Occupation Certificate 4 – 18/03/2021</li> <li>- Interim Occupation Certificate 5 – 17/05/2021</li> </ul> The FSC for IOC 5 is displayed at the entrance door to Bay 1.	Compliant
	STRUCTURAL INSPECTION CERTIFICATE				
E14	A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the issue of the relevant Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the PCA after: <p>(a) the site has been periodically inspected and the Certifier is satisfied that the structural works is deemed to comply with the final design drawings; and</p>	Relevant OC	Structural inspection certificate to be obtained and submitted for approval to the PCA	The following information was provided to the PCA (Philip Chun) on the following dates: <ul style="list-style-type: none"> <li>- ICC issued 3 March 2021 (for part of works) prior to the issue of IOC4 issued on 22 March 2021.</li> </ul>	Compliant

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E14	(b) the drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.	Relevant OC	Structural inspection certificate to be obtained and submitted for approval to the PCA	The following information was provided to the PCA (Philip Chun) on the following dates:  - ICC issued 3 March 2021 (for part of works) prior to the issue of IOC4 issued on 22 March 2021.	Compliant
	WASTE DISPOSAL				
E15	All waste generated on site must be classified and disposed of in accordance with the Waste Classification Guidelines (DECC 2008).	Commencement of Use	Generated waste to be disposed in accordance with guidelines	All waste generated on site is classified and disposed of as per the terms of this condition.	Compliant
E16	Prior to the issue of the first Occupation Certificate for Bays 1-4a, the building owner must ensure that there is a contract with a licensed contractor for the removal of all waste. No garbage is to be placed on the public way, e.g. footpaths, roadways, plazas, reserves, at any time.	Pre-Occupation Certificate	Contract with waste contractor	Reported on in Compliance Report 2 and closed.	Compliant
E17	Prior to the issue of any Occupation Certificate, details shall be submitted to the satisfaction of the PCA that waste handling works have been completed in accordance with Condition E13.	Pre-Occupation Certificate	Letter from Construction to confirm compliance	Reported on in Compliance Report 2 and closed.	Compliant
	ACOUSTIC COMPLIANCE				
E18	Prior to the issue of the first Occupation Certificate, or commencement of use, whichever occurs first, evidence shall be submitted to the PCA demonstrating compliance with all recommendations of the Acoustic Assessment, prepared by Arup, and amended reports submitted as part of the EIS and the development achieves compliance with the requirements of State Environmental Planning Policy (Infrastructure) 2007 and other guidelines applicable to the development.	Pre-Occupation Certificate	Acoustic Engineer to confirm compliance	Reported on in Compliance Report 2 and closed.	Compliant
	LOADING DOCK MANAGEMENT PLAN				

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E19	<p>Prior to the commencement of first use in the Locomotive Workshop, a Loading Dock Management Plan shall be prepared in consultation with the Sydney Coordination Office and Council and submitted to the Planning Secretary for approval. The Plan is to apply to all tenancies within the Locomotive Workshop to promote safe and efficient operation of the loading area in Bay 1-2 north and Innovation Plaza, the on-street loading spaces on Locomotive Street and to minimise conflicts with pedestrian movements. The Loading Dock Management Plan shall include the following:</p> <ul style="list-style-type: none"> <li>(a) allocation of loading spaces</li> <li>(b) restrictions on delivery times to ensure all loading activities are undertaken outside of peak pedestrian hours, being before 8am and after 6pm, all days</li> <li>(c) management of conflicts between vehicles and pedestrians</li> <li>(d) all vehicles are to exit the loading dock in a forward direction</li> <li>(e) controls on duration of stays</li> <li>(f) measures to ensure there is no queuing of delivery vehicles including details of alternate parking locations</li> <li>to redirect vehicles when queuing occurs</li> <li>(g) procedures for tradesperson access and parking</li> <li>(h) truck access routes</li> <li>(i) detail of physical landscaping and street furniture within Innovation Plaza to passively manage risks associated with trucks reversing into the loading dock</li> <li>(j) active management measures (eg traffic controllers)</li> </ul>	Commencement of Use	<p>Loading Dock Management Plan to satisfy the requirements a-k. Plan to be prepared in consultation with relevant authorities and approved by the Planning Secretary.</p>	Reported on in Compliance Report 3 and closed.	Compliant
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	(k) evidence of consultation with the sydney co-ordination office and council in respect of the loading dock management plan must be submitted to the secretary.				
	SERVICE VEHICLE ACCESS ROUTE				
E20	<p>Prior to the commencement of first use in the Locomotive Workshop, the Applicant is to obtain endorsement from Council's Local Pedestrian and Calming Committee to use for changes to 'no stopping' parking restrictions on Rosehill Street, to enable the servicing access route Option 1 (Rosehill Street and Margaret Street) to the Locomotive Workshop. This includes undertaking implementing the required changes to 'no stopping' parking restrictions on Rosehill Street.</p> <p>If endorsement is not obtained from Council's Local Pedestrian and Traffic Calming Committee for changes to kerbside parking restrictions, evidence must be provided to the satisfaction of the Planning Secretary, prior to the commencement of the first use of the Locomotive Workshop, before Option 2 (Rosehill Street, Marian Street and Cornwallis Street) can be used for servicing vehicle access to the Locomotive Workshop.</p>	Commencement of Use	Service Vehicle Access Route to be approved	Reported on in Compliance Report 2 and closed.	Compliant
	STORMWATER				
E21	<p>All works for the disposal of stormwater and drainage are to be implemented in accordance with the approved plans, including:</p> <p>(a) a works as executed survey must be prepared to the satisfaction of the PCA and a copy submitted to Council</p>	Pre-Occupation Certificate	Drawings to be submitted to the PCA for approval	Reported on in Compliance Report 2 and closed.	Compliant
E21	(b) a hydraulic compliance certificate and calculation sheet	Pre-Occupation Certificate	Certificate and calculation sheet to be	Reported on in Compliance Report 2 and closed	Compliant

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			submitted to the PCA for approval	Calculation sheet is not applicable to SSD8517, only SSD8449.	
E21	(c) evidence of Sydney Waters acceptance of the works as executed documentation	Pre-Occupation Certificate	Sydney Water acceptance	Not applicable for the development as no Sydney Water Stormwater connection required, this has been accepted by the PCA.  Reported on in Compliance Report 2 and closed.	Compliant
E22	Prior to the issue of the relevant Occupation Certificate, maintenance schedules of the proposed water sensitive urban design and drainage measures must be submitted to and approved by the PCA and a copy provided to Council.	Relevant OC	Maintenance schedules of the proposed water sensitive urban design and drainage measures must be submitted to and approved by the PCA and a copy provided to Council.	Mirvac submitted maintenance schedules to the PCA on 04/03/21 and a copy was submitted to Council on 09/03/21. PCBC attached Mirvac's cover letter (04/03/21) and the maintenance schedules to IOC4, indicating that the PCA was satisfied with the documentation.	Compliant
E23	Prior to the issue of any Occupation Certificate, a Positive Covenant must be registered on the title for all drainage systems involving On-Site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection.	Pre-Occupation Certificate	Not applicable to development	Reported on in Compliance Report 2 and closed.	Compliant
	EXTERNAL LIGHTING				
E24	External Lighting shall comply with AS 4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting. Upon installation of lighting, but before it is finally commissioned, the Applicant shall submit to the PCA evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.	Operation	Installation certificate to be submitted to the PCA	Documentation provided by Mirvac (from Integrated Group Services (IGS)) indicated the external lighting at the public domain areas at the Locomotive Workshop was considered to have minimal to non-existent nuisance and not be obtrusive to residential users.  The first use of Bays 5-15 (excluding existing tenant in Bay 14) was 1 May 2021 under IOC1 (Bays 5-13 (excluding Bays 5-7 tenancies)). The certification letter from IGS was submitted to the	Compliant

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				PCA under IOC4, which was issued on 22 March 2021.	
E25	The Department must be notified in writing of the dates of commencement of operation at least 48 hours before operation is likely.	Operation	Notice to DPIE	The first tenant to commence operations was Bodyfit gym on 5 November 2020. Mirvac notified DPIE on 28/10/2020 of the anticipated start date (of 1/11/20), which satisfies the 48 hour notification requirement.	Compliant
E26 (as modified – MOD 5)	The MCMP is to be updated and completed, in consultation with the Heritage Council and Council, within 12 months of the issue of the first Occupation Certificate for the Locomotive Workshop, to provide detailed recommendation on the future conservation, management, display conditions, storage, security, and identify the location and management of all moveable heritage.	Post Occupation	Compliance with Condition required		Not triggered
E26 (as modified – Mod 5)	Within 12 months of the installation, the Air Quality Management Plan approved under Condition B12 must be updated to include the blacksmith flues and extraction hoods. The updated Air Quality Management Plan shall be approved by the PCA and a copy shall be provided to the Planning Secretary.	Post Occupation	Compliance with Condition required		Not triggered
<b>PART F POST OCCUPATION</b>					
WORK PLACE TRAVEL PLAN					
F1	The Applicant shall implement the Work Place Travel Plan (WTP) (Condition E12), ensuring that its annual review presented to the Planning Secretary results in sufficient facilities being provided to meet the demand for sustainable travel choices, including facilities for visitors within the public domain.	Post Occupation	Implement WTP		Not triggered
WAYFINDING					
F2	The Applicant shall implement wayfinding strategies, prepared in consultation with Council and TfNSW, to assist with the increasing mode share of walking and cycling. This shall include signage to other	Post Occupation	Not applicable to SSD8517. Wayfinding in accordance with		Not triggered



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	destinations external to the site, including transport nodes and tourist destinations.		condition closed in SSD 7317		
	<b>PUBLIC WAY TO BE UNOBSTRUCTED</b>				
F3	The public way must not be obstructed by any materials, vehicles, refuse, skips or the like under any circumstances.	Post Occupation	Security to ensure public way is not obstructed	Mirvac is compliant with the terms of this condition.	Compliant
	<b>LOADING AND UNLOADING</b>				
F4	All loading and unloading of service vehicles in connection with the use of the premises shall be carried out in accordance with the requirements of Condition E20.	Post Occupation	Compliance with E20 to be complied with	Service vehicles will generally travel to the loading dock (Bay 1 North), or to parking areas along Locomotive Street via Cornwallis Street. Vehicle entry to the Locomotive Workshop is through a boom gate and intercom system where directions from the security office are provided. CCTV is used check vehicles are following the designated route towards the loading dock or Locomotive Street.	Compliant
F5	The size of vehicles servicing the Locomotive Workshop is not to exceed 10.2 m in length.	Post Occupation	Compliance with condition required	The tenant fit out guidelines provide details on the size of delivery vehicles that can access the Workshop area and tenants are to inform their suppliers of these size restrictions. In addition, at the boom gate entry, signage specifying vehicle height limits are in place and security can prevent large vehicles from entering.	Compliant
	<b>NOISE CONTROL – GENERAL</b>				
F6	The emission of noise associated with the use of Locomotive Workshop, the operation of any mechanical plant and equipment, excluding the operations of the Blacksmith, shall comply with the following criteria:  (a) the LAeq, 15minute noise level emitted from the use must not exceed the background noise level	Post Occupation	Compliance with condition required	A noise survey was carried out on 13 May 2020, and documentation was provided to demonstrate compliance with condition E18 at the time of issue of OC1, which essentially required noise emissions from the project (i.e. from the building services equipment at the base building) to not impact on the	Compliant

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	<p>LA90, 15minute by more than 5dB when assessed at the boundary of any affected residence property;</p> <p>(b) the LAeq,15minute noise level shall be adjusted for modifying factors in accordance with Appendix 2 of the Noise Guide For Local Government published by DECCW;</p> <p>(c) the background noise level shall be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.1-1997-Description and measurement of environmental noise; and</p> <p>(d) the use of the premises shall be controlled so that any emitted noise is at a level so as not to create an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 to any affected residence.</p>			<p>nearest noise sensitive receivers. The Acoustic Assessment conducted by Arup and submitted to the PCA found that noise emissions were compliant with condition E18. The Acoustic Assessment results show that noise measurements do not exceed the 5dB criteria in condition F6(a).</p> <p>No noise related complaints for the Locomotive Workshop were received during the reporting period.</p>	
	NOISE CONTROL – MECHANICAL PLANT AND EQUIPMENT				
F7	<p>Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following:</p> <p>(a) transmission of 'offensive noise' as defined in the Protection of the Environment Operations Act 1997 to any affected receiver; and</p> <p>(b) a sound pressure level at the boundary of any affected receiver that exceeds the background (LA90, 15minutes) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055.</p> <p><i>Note: The method of measurement of vibration being carried out in accordance with 'assessing Vibration; Technical Guidelines' – DEC (EPA) AS1055 for sound level measurements</i></p>	Post Occupation	Compliance with condition required	As per Condition F6.	Compliant
	ANNUAL FIRE SAFETY CERTIFICATION				

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F8	<p>The owner of the building shall certify to Council or the relevant authority every year that the essential services installed in the building for the purposes of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.</p>	Post Occupation	Issue AFSC to Council every year	<p>An annual fire safety inspection of the operational areas was undertaken and a Fire Safety Statement (FSS) issued. The inspection was carried out on 20/01/2021 and included part of the workshop covering Bays 1 &amp; 2 South (Blacksmith), the gym and Top Education (Bays 3, 4 &amp; 5 North), and Bay 14 offices.</p> <p>Other fire safety inspections of areas where construction works had finished and were awaiting issue of an occupation certificate were also carried out during the reporting period. The Fire Safety Certificates issued during this time were for IOCs 4 and 5.</p>	Compliant
	HERITAGE DOCUMENTATION				
F9	<p>The Conservation Management Plan (CMP), Heritage Asset Management Strategy (HAMS) and Moveable Collections Management Plan (MCMP) for the site must be updated following completion of the works at the Locomotive Workshop. All documentation is to be completed and submitted to the Heritage Council for endorsement within 24 months of the first Occupation Certificate for Locomotive Workshop.</p> <p>Once endorsed, electronic copies of the updated heritage management documents are to be provided to the City of Sydney Council for its own records.</p>	Post Occupation	Update relevant heritage plans within 24 months of first OC	<p>An extension was for the completion of this Condition was granted by Heritage NSW on 29<sup>th</sup> March 2021. The extension allows Mirvac to complete the required management plans and strategy documents referenced in this Condition by 1<sup>st</sup> April 2022.</p>	Compliant
	TRAVELATOR				
F10	Any future dedication of Locomotive Street to Council is required to be in stratum and exclude the travelator tunnel.	Post Occupation	Any future dedication of Locomotive Street to Council is required to be in stratum and exclude the travelator tunnel.	The dedication of Locomotive Street to Council is planned for around 2030.	Compliant

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	EXTERNAL LIGHTING				
F11	The intensity of lighting of the site, the hours of illumination and the location of the lighting must not cause objectionable glare or injury to the amenity of the neighbourhood. If in the opinion of the Certifying Authority or the Secretary, objectionable glare or injury is likely to be caused, the intensity, hours of illumination and location of the lighting must be varied so that it does not cause objection or injury.	Post Occupation	Note	The external lighting of the Locomotive Workshop was deemed by an independent practitioner to have minimal to non-existent nuisance and not be obtrusive to residential users. In addition, there is no street lighting around the Workshop, and no complaints have been received regarding external lighting.	Compliant
	HOURS OF OPERATION				
F12	The publicly accessible areas within Bays 1-4a (located outside of the proposed tenancy lines) may operate between the hours of 6 am to midnight, Monday to Sunday.	Post Occupation	Note	A sign at the entrance to the building indicates that the trading hours are from 6am to 12am, Monday to Sunday. The current hours of operation are from 6am to 10pm, which is when IGA closes.	Compliant
	TEMPORARY EVENTS				
F13	Temporary community events may be held within Bays 1-4a and Innovation Plaza, in accordance with the approved Temporary Land Uses Map, and are to comply with the requirements of the Exempt and Complying Codes SEPP and/or the State Significant Precincts SEPP.	Post Occupation	Note	A South Eveleigh Solstice Festival was held at the Locomotive Workshops in June 2021. Alfred sought planning approval advice from Ethos Urban and was advised that Ethos Urban was "of the opinion that the use of Locomotive Street and Bay 4a within the Locomotive Workshops for the South Eveleigh Solstice Festival event has approval under the SSP SEPP, Appendix 4 Clause 17 and SSD 8517".	Compliant
	PUBLIC DOMAIN MAINTENANCE				
F14	The maintenance plan (required under Condition B36) is to be complied with during occupation and use of the development.	Post Occupation	Note	The maintenance of the public domain and Locomotive Street is carried out by the Mirvac Asset Management team and that monthly internal audits (via Rapid system) are conducted to ensure the maintenance plan is being followed.	Compliant

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	LOADING DOCK MANAGEMENT PLAN				
F15	The Loading Dock Management Plan (Condition E22) is to be provided to all tenants annually (at least).	Post Occupation	Provide plan to tenants annually	The Loading Dock Management Plan has not been provided to all operating tenants annually.	Non-compliant
	HOURS OF OPERATION – BLACKSMITH				
F16	The Blacksmith is permitted to operate 24 hours a day, 7 days per week.	At all times	Note	The Blacksmith is permitted to works 24 hours, 7 days a week	Compliant
	NOTIFICATION OF BLACKSMITH OPERATIONS				
F17	Prior to lease, licence, sale or the like of any retail or commercial tenancy the prospective occupants are to be notified in writing that the blacksmith operations have development consent and are permitted to operate 24 hours per day, 7 days per week in the area shown on the plan SA-AR-DWG-BB-B4-0330 Revision S, Proposed Plan – ground floor, prepared by Sissons Architects and dated 17/09/2018.	Post Occupation	Ensure Blacksmith operation is included in any lease, licence, sale documents	These details are inserted as a clause in the leasing documents with commercial and retail tenants	Compliant