

## Permission to Enter – (Owner/Occupier)

This form is used by the Developer/Water Service Coordinator when seeking to enter private property/land. *References to 'us' and 'we' are Developer/WSC and references to 'you' are Owner or Occupier of the Property identified below.*

Property to be entered:

Name of Owner or Occupier:

Contact number:

Council approved development address

Case number

Developer Contact name (Water Service Coordinator)

Water Service Coordinator contact number

### Construction Works

To service the development at the property identified above, the Construction Works need to be completed. The details of the proposed Construction Works are described below and shown on the attached **Plan** which has already been submitted to Sydney Water. When the Construction Works have been completed to Sydney Water's satisfaction, the ownership of the assets arising out of the Construction Works will vest in Sydney Water. Once the Construction Works have been completed, Sydney Water is legally obliged to facilitate the provision of water and wastewater services to this development.

*(Describe **Construction Works below** - if there is insufficient space, a separate sheet will be **attached** to this form).*

### Notice of Entry under the *Sydney Water Act 1994 (NSW)*

This form seeks to obtain your permission to enter the property identified above and on the date's identified below. While it is our preference to obtain your agreement for entry at a time that suits you, ultimately Sydney Water must ensure it has access to the property identified above so that the water and wastewater services to this development can be established. Accordingly, Sydney Water has rights of entry under the *Sydney Water Act 1994 (NSW)* that it can exercise on written notice to you (**Notice of Entry**). Information on the Notice of Entry process can be found by contacting Sydney Water directly.

### Consultation process

We want to ensure that any impact on the property identified above will be minimised as far as is practicable. Below is a list of Considerations that must be addressed as part of our Consultation with you. If any of these are not applicable to you, they must be marked 'Not Applicable' and initialled by each of us as confirmation of our Consultation.

*Details of our Consultation and the negotiations between us must be recorded below (if there is insufficient space a separate sheet will be **attached** to this form)*

### Considerations during the Consultation process

Proposed **start date** for Construction Works:

**Duration** of work:

*Any variation to this date will be advised to you in writing.*

*The duration above is an estimate and may change given inclement weather or other matters.*

**Hours and days** for undertaking Construction of Works:

**From** am/pm to am/pm **on:** Monday  Tuesday  Wednesday  Thursday  Friday

**From** am/pm to am/pm **on:** Saturday  Sunday

Design/construct alternatives

*(We can discuss alternatives if they do not significantly and adversely affect the objective for the Works. However, discussing alternatives is at our discretion)*

Authorised personnel and machinery entering property

Temporary access arrangements provided

How effects of dust and noise will be minimised	
Safety and Security Provisions	
Safeguards to protect buildings or other structures	
Agreed make good provisions	
Compensation for maintenance hole/main vent	
Further issues or concerns agreed between us	
<b>Compensation under section 41 of Sydney Water Act 1994 (NSW)</b>	
<p><i>Sydney Water's obligation to pay compensation is set out in section 41 of the Sydney Water Act 1994. Sydney Water's obligation to pay you compensation is limited to those who suffer damage from the exercise of Sydney Water's functions under the Sydney Water Act 1994. Compensation may be made by reinstatement, repair, construction or works or payment. In summary, if Sydney Water installs a sewer on land, Sydney Water is required to pay compensation only if the sewer damages, or interferes with, a building or other structure on the land or causes other physical damage to property or if an access chamber or main ventilator is constructed on the land.</i></p> <p><i>Sydney Water is not involved with, and not liable for, any offer of payment that we may agree to provide you with during our Consultation.</i></p>	
<b>Acknowledgement of Consent and Consultation by Owner/Occupier (tick which one applies)</b>	
<p>"I am satisfied with the level of Consultation I have had to date with you, and I give my Consent for you to enter the above identified property on the terms detailed above." <input type="checkbox"/></p> <p><b>OR</b></p> <p>"I am not satisfied with the level of Consultation I have had to date with you, and I do not give my consent for you to enter the above identified property." <input type="checkbox"/> (Please be advised that Sydney Water will contact you discuss your concerns).</p>	
_____ <b>Signature of Owner/Occupier</b> or authorised property agent	_____ <b>Print name of Owner/Occupier</b> or authorised property agent
	_____/_____/_____ <b>Date of Signature</b>
<b>Acknowledgement by Developer/WSC of Consent and Consultation</b>	
_____ <b>Signature of Developer/WSC</b>	_____ <b>Print name of Developer/WSC</b>
	_____/_____/_____ <b>Date of Signature</b>
<b>Acknowledgment by the Owner/Occupier of Sydney Water's rights of entry</b>	
<p><b>Owner/Occupier</b> or authorised property agent: <i>I acknowledge Sydney Water's right to exercise its powers of entry (the Notice of Entry) under the Sydney Water Act 1994 (NSW).</i></p>	
_____ <b>Signature of Owner/Occupier</b> or authorised property agent	_____ <b>Print name of Owner/Occupier</b> or authorised property agent
	_____/_____/_____ <b>Date of Signature</b>
<b>For office use only</b>	
Ownership / Occupier details correct?	YES /NO
Permission to Enter satisfactorily completed? (i.e. all items addressed, blanks and crossed out items initialled)	YES /NO
Has there been full and complete Consultation?	YES /NO
Permission to Enter signed by both parties?	YES /NO
Design satisfied Sydney Waters standards. (refer to Sewer Design checklist)	YES /NO
Is design Sydney Waters preferred option?	YES /NO
If agreement has not been reached, has all required correspondence been submitted?	YES /NO
Has affected Owner/Occupier been given reasonable time to reply?	YES /NO
Does the reply by the affected property Owner/Occupier raise any new issues?	YES /NO
Is a redesign required?	YES /NO
Is Sydney Water review required?	YES /NO
Sydney Water Name / Signature _____	Date ____/____/____