

Important information about Before You Dig

The material provided or made available to you by Sydney Water (including on the Sydney Water website) in relation to your Before You Dig enquiry (Information) is provided on each of the following conditions, which you are taken to have accepted by using the Information:

- 1 The Information has been generated by an automated system based on the area highlighted in the “Locality Indication Only” window on your Confirmation Email. It is your responsibility to ensure that the dig site is properly defined when submitting your Before You Dig enquiry and, if the Information does not match the dig site, to resubmit your enquiry for the correct dig site.
- 2 Neither Sydney Water nor Before You Dig make any representation or give any guarantee, warranty or undertaking (express or implied) as to the currency, accuracy, completeness, effectiveness or reliability of the Information. The Information, including Sydney Water plans and work-as-executed diagrams, amongst other things:
 - (a) may not show all existing structures, including Sydney Water’s pipelines, particularly in relation to newer developments and in relation to structures owned by parties who do not participate in the Before You Dig service;
 - (b) may be out of date and not show changes to surface levels, road alignments, fences, buildings and the like;
 - (c) is approximate only and is therefore not suitable for scaling purposes; and
 - (d) does not show locations of property services (often called house service lines) belonging to or servicing individual customers, which are usually connected to Sydney Water’s structures.
- 3 You are responsible for, amongst other things:
 - (a) exposing underground structures, including Sydney Water’s pipelines, by pot-holing using hand-held tools or vacuum techniques so as to determine the precise location and extent of structures before any mechanical means of excavation are used;
 - (b) the safe and proper excavation of and for underground works and structures, including having regard to the fact that asbestos cement pipelines, which can pose a risk to health, may form part of Sydney Water’s water and sewerage reticulation systems;
 - (c) protecting underground structures, including Sydney Water’s pipelines, from damage and interference;
 - (d) maintaining minimum clearances between Sydney Water’s structures and structures belonging to others;
 - (e) ensuring that backfilling of excavation work in the vicinity of Sydney Water’s structures complies with Sydney Water’s standards contained on its website or otherwise communicated to you;
 - (f) notifying Sydney Water immediately of any damage caused or threat of damage to Sydney Water’s structures;
 - (g) ensuring that plans are approved by Sydney Water (usually signified by stamping) prior to landscaping or building over or in the vicinity of any Sydney Water structure;
 - (h) ensuring that the Information is used only for the purposes for which Sydney Water and Before You Dig intended.

- 4 You acknowledge that you use the Information at your own risk. In consideration for the provision of the Before You Dig service and the Information by Sydney Water and Before You Dig, to the fullest extent permitted by law
- (a) all conditions and guarantees concerning the Information (whether as to quality, outcome, fitness, care, skill or otherwise) expressed or implied by statute, common law, equity, trade, custom or usage or otherwise are expressly excluded and to the extent that those statutory guarantees cannot be excluded, the liability of Sydney Water and Before You Dig to you is limited to either of the following as nominated by Sydney Water in its discretion, which you agree is your only remedy:
 - (i) the supplying of the Information again; or
 - (ii) payment of the cost of having the Information supplied again;
 - (b) in no event will Sydney Water or Before You Dig be liable for, and you release Sydney Water and Before You Dig from, any Loss arising from or in connection with the Information, including the use of or inability to use the Information and delay in the provision of the Information:
 - (i) whether arising under statute or in contract, tort or any other legal doctrine, including any negligent act, omission or default (including willful default) by Sydney Water or Before You Dig; and
 - (ii) regardless of whether Sydney Water or Before You Dig are or ought to have been aware of, or advised of, the possibility of such loss, costs or damages;
 - (c) you will indemnify Sydney Water and Before You Dig against any Loss arising from or in connection with Sydney Water providing incorrect or incomplete information to you in connection with the Before You Dig service; and
 - (d) you assume all risks associated with the use of the Before You Dig and Sydney Water websites, including risk to your computer, software or data being damaged by any virus, and you release and discharge Sydney Water and Before You Dig from all Loss which might arise in respect of your use of the websites.
- 5 “**Sydney Water**” means Sydney Water Corporation and its employees, agents, representatives and contractors. “**Before You Dig**” means Before You Dig Australia and its employees, agents, representatives and contractors. References to “**you**” include references to your employees, agents, representatives, contractors and anyone else using the Information. References to “**Loss**” include any loss, cost, expense, claim, liability or damage (including arising in connection with personal injury, death or any damage to or loss of property and economic or consequential loss, lost profits, loss of revenue, loss of management time, opportunity costs or special damages). To the extent of any inconsistency, the conditions in this document will prevail over any other information provided to you by Sydney Water and Before You Dig.

In an emergency, or to notify Sydney Water of damage or threats to its structures, call 13 20 90 (24 hours, 7 days)

Further information and guidance is available in the 'Plumbing, building and developing' section of Sydney Water's website at www.sydneywater.com.au, where you will find the following under 'Before You Dig':

- Essential references
 - Guide to Reading Sydney Water BYDA Plans
 - Avoid Damaging Water and Sewer Pipelines
 - Technical guidelines: Building over and adjacent to pipe assets
- See Also
 - Building over or next to assets, section of Sydney Water's website at www.sydneywater.com.au

Or call **13 20 92** for Customer Enquiries.

Note: The lodging of enquiries via www.byda.com.au will enable you to receive, via email, colour plans in PDF format 24 hours a day, 7 days a week.

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