

Entry onto third party property

1. Overview

1.1 At a glance

When altering or extending Sydney Water (us, we, our) services, it may be necessary in some cases for the developer or person representing the developer (e.g. Water Servicing Coordinator) to enter another customer's property to do so. To do this, agreement is needed by all parties.

If gaining permission becomes difficult, we can help.

1.2 Scope

Our policy applies to customers who need permission to enter another person's property, so they can access our services because they need to alter or extend them.

1.3 Objective

The purpose of this policy is to help achieve a balance between:

- a) our statutory function of providing water and wastewater services
- b) the common law rights of our existing customers who are affected by a development.

2. Policy in detail

Sometimes a development will require the developer or person representing the developer to enter another customer's property to extend or alter our services. We understand that trying to negotiate entry to another person's property can lead to disputes that can be hard to resolve. The developer is trying to get the development finished, while property owners and tenants want to protect their rights.

Careful planning is needed at this point of the development to ensure all parties involved are satisfied. Developers must:

- protect the rights of property owners and tenants
- avoid problems that can cause disputes
- make it possible for us to manage public health and safety, environmental and financial risks
- manage entry negotiations
- resolve any disputes fairly and efficiently.

We prefer that developers obtain permission to enter and construct the works, from the property owner and/or the tenant. However, if the other property owner and/or tenant won't allow entry, you can talk to the person managing your application for assistance.

3. Definitions

Term	Definition	Source
Act	The <i>Sydney Water Act 1994 (NSW)</i> and any regulations in force under it.	Sydney Water
Developer	A person who has been given an approval as defined in Division 9 of the Act.	Sydney Water
Policy	A Sydney Water document that sets out a plan of action for Sydney Water in a distinct area of its business. A policy is read in conjunction with the related guideline.	Sydney Water
Water Servicing Coordinator	Water Servicing Coordinators act as an interface between the developer, Sydney Water and Listed Providers, who are involved in the delivery of water, wastewater, recycled water and stormwater services for property development and infrastructure projects.	Sydney Water

4. Context

4.1 References

Document type	Title
Compliance obligations	Section 38 (1), 39 and 40 Sydney Water Act 1994
Other documents	Entry onto third party property – Water Servicing Coordinator (WSC) work instruction