



## ACCESS PERMIT TO ENTER/WORK OVER THE PRIVATELY-OWNED SEABED OF SYLVANIA WATERWAYS LIMITED

**No equipment must enter or physical work be undertaken in or over our waters without this official permit endorsed by a Director of Sylvania Waterways Limited.**

***Section A: To be completed by contractor:***

CONTRACTOR: ..... PH. ....

MEMBER ..... PH. ....

PROPERTY (WORK SITE) ..... Sylvania Waters.

DESCRIPTION OF WORK TO BE CONDUCTED: .....  
.....  
.....  
.....  
.....

ACCESS DATES REQUIRED: FROM ..... TO .....

**CONTRACTOR Insurance:**

Public Liability: Company ..... Policy # ..... Expiry.....

Workers Compensation: Company ..... Policy # ..... Expiry.....

Sutherland Shire Council DA Approval attached. Yes  No

Workcover safe work method statement attached. Yes  No

Signature block page 3 signed. Yes  No

***Section B: To be completed by Sylvania Waterways Ltd.***

Sylvania Waterways Limited approval. Yes  No

Comments .....  
.....  
.....

**APPROVAL #. .... DIRECTOR / AUTHORISED REPRESENTATIVE: .....**

**SIGNED ..... DATE .....**

## Access Permit Terms and Conditions.

Sylvania Waterways Ltd (“SWL”) is responsible for the safe and efficient use of its seabed and waterways during access by contractors for undertaking various works as required to the waterfront properties owned by SWL members. Therefore access to SWL waterways to undertake waterfront works is strictly prohibited and is only granted via the written permission of SWL.

In addition to the terms and conditions contained herein access for works undertaken by the contractor on behalf of the SWL member is subject to and conditional upon the forms submitted requesting consent to undertake the specified works including, as relevant to the members application, the following:

- 1) Application for Shares in Sylvania Waterways Ltd (Form 1014)
  - 2) Process checklist for new sea wall (Form 1020)
  - 3) Application for waterfront devices (Form 1025)
  - 4) Process checklist for new waterfront devices (Form 1019)
  - 5) Process checklist for sea wall repairs (Form 1020)
  - 6) Application for sea wall maintenance (Form 1025)
  - 7) Regulations and procedures for the installation and use of mooring poles and secured flotation devices erected and located over Sylvania Waterways property (Form 1016).
  - 8) Access Permit to enter / work over the privately-owned seabed of Sylvania Waterways Ltd (Form 1026).
- (Documents 1 – 8 collectively referred to as “**The Contractual Forms**”)

These standards are in addition to any environmental or planning regulations in force pursuant to a current NSW planning instrument, or special requirements that may be necessary for certain works. All access permits are issued pursuant to the following conditions being met.

All work in SWL is prohibited without an access permit issued in writing by SWL.

### **1. Safety (personal)**

The following personal protective equipment (“PPE”) must be worn by all workers in the construction zone:

- Hard hats
- Eye Protection
- Gloves
- Ear Protection
- Any other PPE requirements specified by relevant legislation in force from time to time
- Steel capped boots
- Dust protection (masks).
- Sunscreen
- Hi-Vis clothing

### **2. Work Zone (protection of others)**

The work area shall be appropriately fenced with a clearance of at least 6 meters from any construction activity and appropriate signage fitted “Construction site Keep Out”.

### **3. Electrical Safety**

As necessary, a search is required to determine if there are any power/cables in the work area. A licensed electrician will be required to disconnect/isolate these cables before construction starts.

The use of 240v power tools should be minimised when working over or near the water. Battery operated devices should be used where possible. If 240v power is used, provision must be made to ensure it is protected by an earth leakage safety switch.

All power tools, leads and equipment shall be tagged in accordance with WorkCover regulations. All power leads must be rated as heavy duty. Where possible, all power leads run to the work site must be kept off the ground to avoid damage.

### **4. Safety equipment and training.**

There shall be on each work site:

- 1 x Co2 Fire extinguisher min 5KG
- Emergency (000) number displayed.
- 1 x mobile phone
- Any other requirements specified by relevant legislation in force from time to time.
- First Aid Kit
- Appropriate operator licenses
- 1 x Lifebuoy
- WorkCover General Induction Certificate
- Minimum of 2 persons with first aid training

### **5. Environmental**

The Waterways and seabed must be kept clean and free of any debris or spillage of any type. All spoil must be removed from the site.

No chemicals, oils or pollutants are to enter the water. Such materials should not be stored on any boat or barge in Sylvania Waters unless banded.

The blocking of, and interference with the waterway by barges & pontoons is to be minimised and all barges should be illuminated at night in accordance with marine safety standards.

No skin or scuba diving in Sylvania Waters is permitted without pre-approval from SWL and submission of a Safe Work Method Statement (SWMS)

When pouring concrete (e.g. new sea wall capping) formwork shall be extended as a guard to prevent spillage into the waterways. This shall be inspected prior to concrete pouring. This process to be followed in any situation where the accidental overflow of concrete may occur.

### **6. Pontoons**

If a pontoon is removed to enable works to proceed, then on re-installment, the following will apply;

Position in accordance with SWL and Sutherland Shire Council (“SSC”) regulations (refer to SWL document 1020).

Provide suitable engineers certificate stating that the pontoon has been inspected and meets with safety standard and is safe to use.

That any electrical work, electrical devices on the pontoon, ramp or landing comply with Australian Standards including AS/NZS 3000 Wiring Rules and SAA Marina code as a minimum.

The existing gate/access to the pontoon must be closed off by a section of pool type fencing while the pontoon has been removed, and a sign “Danger work site – pontoon removed Do Not Enter” or similar erected.

**7. Construction work**

All work shall be carried out so it does not affect any neighbouring property, this should be carefully considered prior to commencing any works. Items to be considered:

- Excess vibration
- Grinding dirt on adjacent vessels
- Interruption of boundary fencing
- Noise
- Access in channels for passing boats
- SSC Large stormwater pipes
- Dust
- Unstable seawalls and rear yards
- Notification to adjacent neighbours of intended works (min 10 days)
- Grinding dirt on adjacent vessels
- SSC Large stormwater pipes

The contractor of the owner/SWL member is responsible for the removal of all construction waste materials on the construction site and shall keep the site clean and tidy at all times during construction phase.

The contractor must provide a SWMS (Safe Work Method Statement) prior to commencing the works itemising any potential safety risks and how the contractor will deal with them.

**8. Excavation Work**

If it is likely that there are underground services at the site, the contractor must take steps to obtain the current underground essential services information relating to the work place and adjacent areas, before commencing the works. This information must be provided to any person carrying out the excavation works.

General location of underground services can be determined by a number of different methods including, information from council or contacting organisations that can assist in locating underground services.

**9. The Access Permit**

If the SWL member or their appointed contractor (including the contractor’s sub-contractor, invitee, employee, agent, director or other person under their control) breaches these terms and conditions or The Contractual Forms then SWL can at its sole discretion (acting reasonably) attend to any of the following:

- (i) immediately terminate the access permit.
- (ii) place additional limits on the terms of the access permit.
- (iii) add additional matters to these terms and conditions as are reasonably required to address the breach.
- (iv) serve a notice upon the SWL member requiring a breach to be rectified including imposing a timeframe for the rectification to occur.
- (v) serve a notice upon the contractor requiring a breach to be rectified including imposing a timeframe for the rectification to occur.

**10. SWL Member and Contractor Indemnity**

The SWL Member and Contractor hereby releases and indemnifies SWL (excluding its own negligence) from any and all claims, loss, damages, injury, death, costs as a result of the waterfront works being undertaken by the SWL member and their contractor.

**EXECUTED** on behalf of the *Contractor* named below by the authorised person(s) whose signature(s) appear(s) below.

Corporation:		ACN
Signature of authorised person:	Signature of authorised person:	
Name of authorised person:	Name of authorised person:	
Office held:	Office held:	

Signed by the SWL Member in the presence of:

)  
)  
)  
)

.....  
Witness to SWL Member Signature

.....  
) Signature of Member

) Name of SWL Member:.....  
)