Landowner consent to apply for scheme approval form

25 February 2025

# About this document

An **applicant for scheme approval** may provide the template declaration on page 3 to the owner of land on which water industry infrastructure (other than pipelines within the reticulation network connected to the infrastructure) is or is to be located, for the purpose of obtaining the landowner’s consent to lodging with IPART an application for scheme approval under the *Water Industry Competition Act 2006* (**WIC Act**).

If there is more than one owner of the land on which water industry infrastructure is or is to be located, the applicant must obtain a declaration of consent from each owner of that land.

The applicant must submit the signed declaration(s) and evidence of the owner of the land (such as a land title search) in conjunction with the completed [Scheme Approval Application Form](https://www.ipart.nsw.gov.au/documents/application/wica-scheme-approval-application-form-march-2024). If you have any questions about this template, visit the [IPART website](https://www.ipart.nsw.gov.au/Home/Industries/Water/Alternate-water-utilities-WIC-Act/WIC-Act-register/WIC-Act-Licence-Register), or email [wica@ipart.nsw.gov.au](mailto:wica@ipart.nsw.gov.au?subject=WIC%20Act%20audit%20services%20panel%20application) or phone Director, Water Regulation and Compliance on (02) 9290 8412.

# Signing the declaration

The declaration contains separate signature blocks for a person, corporation and council. The landowner must be aware that:

* if the landowner is a corporation constituted under the *Corporations Act 2001* (Cth), the declaration must be signed in accordance with section 127 of that Act, and
* if the landowner is a person or a council, the signing of the declaration must be witnessed by an adult with capacity.

The landowner must sign the appropriate declaration and may disregard the other signature blocks. The declaration must be signed by:

* in the case of a person, that person,
* in the case of a corporation:
  + a Company Secretary and a Director, or
  + two Directors, or
  + if the corporation has a sole Director and no separate Company Secretary, the sole Director,
* in the case of a council, the Public Officer, CEO or General Manager.

|  | Use of personal information |
| --- | --- |
|  | Landowners must provide their contact details when signing the declaration. IPART will deal with this information in accordance with the information protection principles set out in the *Privacy and Personal Information Protection Act 1998* (NSW) and our Privacy Statement, which is available here: <https://www.ipart.nsw.gov.au/Home/About-IPART/Footer-Links/Privacy>.  Please note that third parties may apply under the *Government Information (Public Access) Act 2009 (NSW)* for access to applications for scheme approval. If we receive such an application, we must decide on disclosure in accordance with that Act. That Act would require us to consult with you if we received such an application. |

# Declaration – Landowner consent to application for scheme approval

Under section 7(2)(b) of the *Water Industry Competition Act 2006* (**WIC Act**), a person may only make an application for scheme approval for water industry infrastructure with the consent of the owner of the land on which the water industry infrastructure, other than pipelines with the reticulation network connected to the infrastructure, is or is to be located.

[insert name of applicant for scheme approval] [if applicable, insert ACN number] (**the** **Applicant**) is preparing an application for scheme approval to the Independent Pricing and Regulatory Tribunal (**IPART**) under section 7 of the WIC Act for the purpose of obtaining authorisation to construct water industry infrastructure.

The Applicant is proposing to construct the water industry infrastructure (excluding pipelines within the reticulation network connected to the infrastructure) at the location specified in its response to question 12 in its application for scheme approval (**water industry infrastructure site**).

[insert the landowner’s name] (**Landowner**) owns the land at [insert address, lot numbers and/or deposited plan numbers] (**the land**).

The water industry infrastructure site is located on [part/all] of the land.

**I hereby declare that:**

1. The Landowner is the [sole/joint] owner of the land.
2. The Landowner acknowledges that:
   1. the Applicant proposes to construct water industry infrastructure, as specified in the application for scheme approval (which I have seen), on the land, and
   2. if IPART grants scheme approval, the Applicant would be authorised to construct the specified water industry infrastructure on the land in accordance with the conditions imposed on the scheme approval.
3. The Landowner consents to the Applicant lodging with IPART an application for scheme approval to construct water industry infrastructure on the land.
4. If the Landowner is a corporation or a council, I have the authority to provide consent on behalf of the Landowner.

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| --- |
| If the Landowner is a person: |

|  |  |
| --- | --- |
|  | Provide details in the table below and sign the declaration in the presence of a witness. |
|  | You may sign this declaration electronically (either in Microsoft Word or in Adobe PDF) or on a paper copy. If signing a paper copy, please scan the signed declaration to Adobe PDF before submitting. |

|  |  |  |  |
| --- | --- | --- | --- |
| Details | Signatory | | Witness |
| Full name |  | |  |
| Address |  | |  |
| Phone number |  | |  |
| Email address |  | |  |
| Date of signing |  | | |
| Place of signing |  | | |
|  | Signed by the Landowner: | | In the presence of a witness: | |
| Sign here |  | |  | |

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| --- |
| If the landowner is a corporation: |

|  |  |
| --- | --- |
|  | Provide details in the table below and sign the declaration in accordance with the requirements of section 127 of the *Corporations Act 2001* (Cth). |
|  | You may sign this declaration electronically (either in Microsoft Word or in Adobe PDF) or on a paper copy. If signing a paper copy, please scan the signed declaration to Adobe PDF before submitting. |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Details | Signatory | | Signatory | |
| Full name |  | |  | |
| Address |  | |  | |
| Phone number |  | |  | |
| Email address |  | |  | |
| Position/title |  | |  | |
| Date of signing |  | | |  |
| Place of signing |  | | |  |
|  | Signed on behalf of the Landowner | | Signed on behalf of the Landowner | | |
| Sign here |  | |  | | |

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| If the Landowner is a council: |

|  |  |
| --- | --- |
|  | Provide details in the table below and sign the declaration in the presence of a witness. |
|  | You may sign this declaration electronically (either in Microsoft Word or in Adobe PDF) or on a paper copy. If signing a paper copy, please scan the signed declaration to Adobe PDF before submitting. |

|  |  |  |  |
| --- | --- | --- | --- |
| Details | Signatory | | Witness |
| Full name |  | |  |
| Address |  | |  |
| Phone number |  | |  |
| Email address |  | |  |
| Position/title |  | |  |
| Date of signing |  | | |
| Place of signing |  | | |
|  | Signed on behalf of the landowner: | | In the presence of a witness: | |
| Sign here |  | |  | |