



Formalise an Existing Encroachment on Council Land

Under *Roads Act NS, 1993 – Section 153 and Conveyancing Act 1919;*
Section 181A for easements and Local Government Act 1993;
S46, S47, S47a – for drainage pipes and S88E Conveyancing Act for positive covenants

Effective from July 2024 to June 2025

About this form

Use this form to apply to formalise an existing encroachment on Council land adjoining your property in accordance with Council's Policy for Managing Encroachments on Council Road Reserves, which can be viewed on Council's website at: www.woollahra.nsw.gov.au or be obtained from our Customer Service Centre.

For further information, please contact Customer Service Centre on (02) 9391 7000.

Applicant's (owner) details *(The applicant must be able to provide evidence of ownership)*

Title:

Full name:

Company name:

(if applicable)

Company contact:

(if applicable)

ABN / ACN:

Address:

Phone:

Email:

Conditions

Please review the full Conditions associated with this application. These can be accessed at: www.woollahra.nsw.gov.au/formalise-existing-encroachment-conditions

Applicant's declaration and signature

I,

declare I am the owner of the property at

I apply to formalise an existing encroachment on Council land adjoining my property. I have read and accept the conditions set out above and in Council's policy. I declare that all the information given is true and correct. I also understand that:

- If incomplete or inaccurate information is supplied, the application may be delayed or rejected, and/or
- More information may be requested after the date of lodgement
- I agree to pay additional costs including legal costs incurred by Council associated with this application

I have reviewed the Conditions relating to this application available at www.woollahra.nsw.gov.au/formalise-existing-encroachment-conditions

Applicant's signature

Date

Fees (Fees are valid until June 2025)

| Type | Cost | Receipt code |
|-----------------|---------------------------|--------------|
| Application fee | \$655.00 plus hourly rate | T121 |

If approval is granted and a legal agreement is required to be entered into by condition of approval, all legal and valuation costs will also be payable. These fees are calculated on the hourly rate and are payable before the release of any legal agreement. Protracted negotiations over 5 hours will be charged at \$86 per hour.

Privacy

For more information about Privacy & Personal Information Policy: www.woollahra.nsw.gov.au/privacy.

Lodgement details

Mail to: Woollahra Municipal Council
PO Box 61 Double Bay 1360

In person: Council Chambers
536 New South Head Road
Double Bay NSW 2028

Email: records@woollahra.nsw.gov.au

Telephone: (02) 9391 7000

Website: www.woollahra.nsw.gov.au

Payment can be made at our Customer Service Department by the following methods: cash, EFTPOS, Money Order cheque (make cheques payable to Woollahra Council), or credit card – American Express, MasterCard or Visa.

Credit card payments will incur a processing fee.

OFFICE USE ONLY

Application fee (T121) - \$655.00

CSO name:

Date: