

PROTECTION WORK NOTICE

Form 7 – Regulation 113

Building Act 1993 – Building Regulations 2018



To

Adjoining Owner			
Postal Address			
City/Suburb/Town		Post Code	

Relevant Building Surveyor

Craig Hall, Moira Shire Council
PO Box 578 COBRAM VIC 3644

Adjoining Owner's Property Details *(the adjoining property)*

Number		Street/Road					
City/Suburb/Town				Postcode			
Lot/s		LP/PS		Volume		Folio	
Municipal District	MOIRA SHIRE COUNCIL						

From

Owner / Agent			
Name of Owner <i>(insert full name)</i>			
ACN / ARBN			
Postal Address			
City/Suburb/Town		Post Code	
Contact Person		Phone Number	

Owner's Property Details

Number		Street/Road					
City/Suburb/Town				Postcode			
Lot/s		LP/PS		Volume		Folio	
Municipal District	MOIRA SHIRE COUNCIL						

Name of Agent			
ACN / ARBN			
Postal Address			
City/Suburb/Town		Post Code	
Contact Person		Phone Number	



PROTECTION WORK NOTICE

Regulation 7 – Regulation 113

Building Act 1993 - Building Regulations 2018



NOTICE

In accordance with Section 84 of the **Building Act 1993**, I give notice of my intention to carry out the following building work on my property and request your agreement to the proposed protection work which affects your adjoining property.

In accordance with Section 85 of the **Building Act 1993**, and subject to Sections 90 and 91 of that Act, you will be taken to have agreed to the protection works proposed in this notice if you do not respond within 14 days after this notice is served on you.

A response to this notice must be in the form of Form 8 of the Building Regulations 2018, include the information in that form, and be given to the owner and the relevant building surveyor whose details are set out in this notice.

Details of proposed building work

[insert details including details about damage etc. that may be caused to adjoining property]

Details of proposed protection work

[insert the nature, location, time and duration of the proposed protection work, including the extent to which access to the adjoining property will be required for the purpose of undertaking the proposed protection work]

Information about Protection of an Adjoining Owner under the Building Act 1993 in relation to Proposed Protection Work

In accordance with Section 92 of the **Building Act 1993**, at any time after this notice is given to the adjoining owner, the relevant building surveyor must make available to the adjoining owner, on request, for inspection, without charge, any plans, drawings and specifications of the proposed building work in the possession or control of the relevant building surveyor. The relevant building surveyor's name and contact details are on page 1 of this notice.

If the proposed protection work is agreed to by the adjoining owner or determined as being appropriate by the relevant building surveyor under Section 87(1) of the **Building Act 1993** or by the Building Appeals Board under Section 141 of the **Building Act 1993** (as the case requires), the owner must—

- (a) before the commencement of any protection work—
 - (i) ensure that a contract of insurance is in force in accordance with Section 93 of the **Building Act 1993** against damage by the protection work to the adjoining property and other liabilities described in that section; and
 - (ii) make a full and adequate survey of the adjoining property in accordance with Section 94 of the **Building Act 1993**; and
- (b) pay to an adjoining owner all costs and expenses necessarily incurred by the adjoining owner in assessing proposed protection work and in supervising the carrying out of protection work in relation to an adjoining property in accordance with Section 97 of the **Building Act 1993**; and
- (c) compensate an adjoining owner or an adjoining occupier for inconvenience, loss or damage suffered by the adjoining owner or adjoining occupier in connection with the carrying out of protection work in accordance with Section 98 of the **Building Act 1993** or an order of the Building Appeals Board under Section 159 of that Act.

Signature of Adjoining Owner /
Adjoining Owner's Agent

Date

Collection Statement: Moira Shire Council is collecting personal information for your Building Permit application as required under the Building Act 1993 and Building Regulations 2018, which Council has a responsibility to administer. The information collected will be used for the purpose of your Building Permit application and/or a directly related purpose. Information may be disclosed to the Victorian Building Authority (VBA) or if required or authorised by law. If you do not provide the information required, Council will not be able to process your application. You can find out more about how we use and protect your information by viewing our Privacy Statement on our website www.moiravic.gov.au.

Moirá Shire Council
ABN: 20 538 141 700
Post: PO Box 578, Cobram, Vic 3643

Cobram Administration Centre:
44 Station Street, Cobram
Yarrowonga Service Centre:
100 Belmore Street, Yarrowonga

Phone: 03 5871 9222
Fax: 03 5872 1567
NRS: 133 677

Email: info@moira.vic.gov.au
moira.vic.gov.au



Page 2 of 2
D23/61865