

**PROTECTION WORK NOTICE**

**To**  
Adjoining Owner: \_\_\_\_\_

Postal Address: \_\_\_\_\_

**Relevant Building Surveyor:**

- |                          |                |           |                                    |                   |
|--------------------------|----------------|-----------|------------------------------------|-------------------|
| <input type="checkbox"/> | Wayne Wilkie   | BSU 1164  | Municipal Building Surveyor        | Colac Otway Shire |
| <input type="checkbox"/> | Andrew Britton | BSL 41818 | Deputy Municipal Building Surveyor | Colac Otway Shire |

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

No: \_\_\_\_\_ Street/Road: \_\_\_\_\_ Town: \_\_\_\_\_  
 Lot/s: \_\_\_\_\_ LP/PS: \_\_\_\_\_ Volume: \_\_\_\_\_ Folio: \_\_\_\_\_ Crown Allotment: \_\_\_\_\_  
 Section: \_\_\_\_\_ Parish: \_\_\_\_\_ Municipal District: Colac Otway Shire

**From**

Owner/Agent: \_\_\_\_\_  
 Name of owner: \_\_\_\_\_ (insert full name)  
 CAN/ARBN: \_\_\_\_\_  
 Postal Address: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

**Owner's Property Details**

No: \_\_\_\_\_ Street/Road: \_\_\_\_\_ Town: \_\_\_\_\_  
 Lot/s: \_\_\_\_\_ LP/PS: \_\_\_\_\_ Volume: \_\_\_\_\_ Folio: \_\_\_\_\_ Crown Allotment: \_\_\_\_\_  
 Section: \_\_\_\_\_ Parish: \_\_\_\_\_ Municipal District: Colac Otway Shire  
 Name of agent: \_\_\_\_\_  
 CAN/ARBN: \_\_\_\_\_  
 Postal Address: \_\_\_\_\_  
 Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

**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.

**Details of Proposed Building Work**

(Insert details including details above damage etc. that may be caused to adjoining property)

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Attached second page if required)



**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)

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(Attached second page if required)

**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**

Signature of owner/owner’s agent: \_\_\_\_\_ Date: \_\_\_\_\_

**DECLARATION:** *The Colac Otway Shire Council collects personal information to levy rates, issue permits and licences, and provide a variety of community services. The information collected in this form is used only for the purposes contemplated by the form (primary purpose) and is not passed on to third parties. In some instances, however, disclosure is required by law or is necessary for the protection of persons or property. Where this occurs, Council will take every reasonable step to ensure your privacy is protected in accordance with the Information Privacy Act 2000 (Vic). Should you need to change or access your personal details, or require further information about Council's Privacy Policy contact our Privacy Officer on 5232 9400*

