

Protection Work Notice

Form 7 Building Act 1993 Building Regulations 2018 – Regulation 113

To

Adjoining Owner: _____

Postal Address: _____

Relevant Building Surveyor

Building Surveyor: _____

Postal Address: _____

Contact Person: _____

Telephone: _____

Email: _____

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

Number: _____ Street/Road: _____

City/Suburb/Town: _____ Postcode: _____

Lot/s: _____ LP/PS: _____ Volume: _____ Folio: _____

Crown Allot: _____ Section: _____ Parish: _____ County: _____

Municipal district: _____

From

Agent of Owner: _____

ACN/ARBN: _____

Postal Address: _____

Contact Person: _____

Telephone: _____

Email: _____

Name of Owner: _____

ACN/ARBN: _____

Postal Address: _____

Contact Person: _____

Telephone: _____

Email: _____

Property Details (where works are to take place)

Number: _____ Street/Road: _____
City/Suburb/Town: _____ Postcode: _____
Lot/s: _____ LP/PS: _____ Volume: _____ Folio: _____
Crown Allot: _____ Section: _____ Parish: _____ County: _____
Municipal district: _____

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 with 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 owner or owner's agent)

Date: _____