

# SERVING OF FORMS 3 & 4 CHECKLIST FOR CLIENT

It is important to serve the protection work notices (Forms 3 and 4) to the adjoining owner(s) correctly. Otherwise, the building surveyor may need the protection work notices to be re-served and wait another 14 days for a response from the adjoining owner(s).

The list below is provided to help you serve the Forms 3 and 4 correctly. **Make sure that each box is ticked and submit this to Watershed with the rest of the documents.**

## Checklist

Adjoining owners mailing address details obtained from Watershed or Council. The owners may not live at the adjoining property.

Correct mailing address of the adjoining owner on the Forms 3 & 4.

All sections of the Form 3 are completed (eg description, addresses, nature, time, duration etc).

A copy of the working drawings, structural plans and soil report are provided to the adjoining owner with the Notices.

A copy of all served documents (eg Forms 3 and 4, plans and soil report) are provided to Watershed.

Form 3 Notice has been signed and dated by the person serving the Notices.

Form 4 Response includes the address and phone number of the person who is serving the Notices. This form is to be signed **only** by the adjoining owners or their agent.

Forms 3 and 4 are served together.

Registered mail receipt is obtained and provided to Watershed if the Forms have been served via mail.

If the Notices are served in person, you must confirm that the person is related to the adjoining owner and get a name and a date and time that the documents were served.

**Building Act 1993**  
Building Interim Regulations 2017

**PROTECTION WORK NOTICE**

**To:** (person that needs to respond to this notice)

Adjoining owner .....

Postal address .....Postcode.....

Email .....

**And Copy To:** (person that has received an application for a building permit)

Relevant building surveyor: **Ari Loupatatzis or Matthew Curtain**

Postal address: **Suite 2/75 Robinson Street Dandenong 3175 or  
6a Seymour Street Traralgon 3844**

Contact email address: [dandenong@watershedbc.com.au](mailto:dandenong@watershedbc.com.au) Dandenong Office or  
[gippsland@watershedbc.com.au](mailto:gippsland@watershedbc.com.au) Traralgon Office

Contact person **Ari or Matt** Telephone **9791 3355 or 5176 5888**

**From:** (person that is serving this notice)

Owner/agent .....

Postal address ..... Postcode .....

Contact person email ..... Telephone .....

**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 land and request your agreement to the proposed protection work.**

**Details of proposed building work** (eg domestic, residential, commercial, new, additions, etc)

Description:.....

.....

**Property details** (the building site)

Number	Street / Road		City / Suburb /Town			Postcode
Lot/s	LP/PS	Volume	Folio			
Crown allotment	Section	Parish	County			
Municipality						

**Adjoining property details** (the adjoining owner's property)

Number	Street / Road		City / Suburb /Town			Postcode
Lot/s	LP/PS	Volume	Folio			
Crown allotment	Section	Parish	County			
Municipality						

**Details of proposed protection work and program** (each section below must be completed)

**Nature:** (list protection work measures to be provided e.g. underpinning, overhead protection, temporary hoarding or shoring)

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**Location:** (eg front section of shared boundary between No.16 and No. 18)

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.....  
.....

**Time:** (hours of site work) .....

**Duration:** (Length of time for the protection work, not the actual building work. Specify start date and completion date)

.....  
.....

The following documents **have** been provided to the adjoining owner with this Protection Work Notice:

- Working drawings that show proposed location and nature of work near the allotment boundary.
- Structural footing plans that show proposed work near the allotment boundary.
- Structural engineer’s certification (Reg 1507 certificate).
- Soil report.

Signature of owner or agent .....

Print name .....

Date.....

**NOTE**

Under section 85 of the **Building Act 1993**, the adjoining owner must respond to a notice under section 84 of that Act by giving to the owner within 14 days a notice under section 85 of that Act—

- (a) agreeing to the proposed protection work; or
- (b) disagreeing with the proposed protection work; or
- (c) requiring more information.

Failure to respond will be taken as agreement to the proposed protection work.

In the case of (b) and (c) above, a copy of the notice under section 85 of that Act must also be given to the relevant building surveyor (see Form 4).

**STATUTORY DECLARATION**  
**SERVICE OF PROTECTION WORK NOTICES**

To: **Relevant Building Surveyor of Watershed Building Consultants**

I, (name of owner/agent) .....of  
(address).....

do solemnly and sincerely declare that in accordance with Section 84 of the Building Act 1993 (“the Act”), I served protection work notices (Forms 3 & 4) on all adjoining owner(s) at the following addresses (list addresses below):

.....  
.....  
.....  
.....

These documents were served by (insert how served) .....

ON (insert date on which served).....

A full copy of all documents and prescribed\* details and information is attached to this declaration.

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

\* Prescribed details and information means the relevant details set out in Form 3 and any other information set out in Form 3.