

Notice and request for consent – protection structures, party walls, removal of fences, access to land

Building Act 2011, section 78, 79, 80, 81 84, 85
Building Regulations 2012, regulation 4

PERMIT AUTHORITY
USE ONLY

Reference number

BUILDER / DEMOLITION
CONTRACTOR USE

Reference number

Information for the owner of affected land

Under the *Building Act 2011* a person responsible for building or demolition work must not, without the notification and consent of the adjoining land owner(s):

- place a protection structure beyond the boundaries of the land on which work is being carried out; or
- carry out certain works that would affect a party wall; or
- remove fences or gates (note that consent is not required in some circumstances - refer section 80(d) of that Act); or
- access adjoining land to do the work or conduct a survey (consent is not required if the adjoining land is vacant, however this does not affect the exercise and enforcement of any right that a person has to stop, restrict or prevent a person going on to the other land).

Note: this notice and request for consent forms an agreement between the affected landowner and the person responsible for the work (usually the builder/demolition contractor).

Please note that if the consent sought by this notice is not given within 28 days, a person responsible for the work may under section 86 of the *Building Act 2011*, apply to the Magistrate's Court for a court order. The completed response notice must be returned to the person responsible for the work (refer part 6 below for details). Please keep a copy for yourself or ask the person responsible for the work to provide you with one. The person responsible for the work may also request your consent to arrange for access to your property in order to carry out a survey of the affected land. You can indicate your consent at part 7 below.

For further information refer to the Building Commission's brochure 'Work affecting other land' available at www.commerce.wa.gov.au/building-commission.

1. Name and postal address of owner(s) of affected land

**Name of owner(s)
of affected land**

The Owners of 147-159 Charles St, West Perth Strata Plan 5629

**Street address
(provide lot number
where street number
is not known)**

Unit no	Street no 147	Level	Lot no
Street name Charles		Street type Street	Street suffix
Suburb West Perth		State W.A	Postcode 6005
Country (if not Australia)			

OR

PO Box address

PO Box no			
Suburb	State	Postcode	Country (if not Australia)

2. Land where work is proposed

Property street address (provide lot number where street number is not known)

Unit no	Street no 19-26	Level	Lot no .
Street name SHERIDAN		Street type Lane	Street suffix
Suburb WEST PERTH		State WA	Postcode 6005

3. Adjoining land affected by work

Property street address (provide lot number where street number is not known)

Unit no	Street no	Level	Lot no
Street name		Street type	Street suffix
Suburb		State	Postcode

4. Notifiable event

☐ **Requirement for protection structures** (section 78 of the *Building Act 2011*)

Not applicable

☐ **Party wall, substantial dividing fence, boundary retaining wall** (section 79 of the *Building Act 2011*)

Not applicable

X Removal of fences (section 80 of the *Building Act 2011*)

Removal of existing fencing between 147 Charles street and Lot 271 Sheridan lane.

Temporary fencing will be provided and installed for the duration of the works prior to Colorbond fencing being installed.

☐ **Access to land** (section 81 of the *Building Act 2011*)

Not applicable

***Note:** For encroachment or adversely affecting adjoining land, use Form BA20.

When is the work likely to occur? (if known, please provide date, time and duration)

Please attach to this notice:

- Plans and specifications for the proposed building or incidental structure showing how the building work/demolition work will adversely affect the other land.
- Any relevant reports in respect of the building work/demolition work.

5. Access for survey

- ☐ I do request consent to access the property to carry out a survey of the affected land; or
- ☐ I do not request consent to access the property to carry out a survey of the affected land.

Details of proposed survey

6. Person responsible for work details

Builder / demolition
contractor /
owner's name

Tangent Nominees Pty Ltd

Street address
(provide lot number
where street number
is not known)

Unit no	Street no	Level	Lot no
Street name		Street type	Street suffix
Suburb		State	Postcode
			Country (if not Australia)

OR

PO Box address

PO Box no PO Box 4028			
Suburb MYAREE BC	State WA	Postcode 6960	Country (if not Australia)

Email address

adrians@summithomesgroup.com.au

Phone/fax

Phone no 08 93170 246	Fax 08 9330 4507
---------------------------------	----------------------------

Registration details
(if applicable)

Registration number / licence number / owner-builder approval number
10689

Builder / demolition
contractor / owner's
signature

Name (print)
Jeff Edgar

Signature

Date
23-02-21

7. Consent (response notice)

In accordance with section 85 the *Building Act 2011*, I hereby respond to the notice provided to me in respect to the land detailed in part 3 of this notice and:

☐ I consent to what is proposed in parts 4 and 5 of this notice; or

☒ I do not consent to what is proposed in parts 4 and 5 of this notice.

Owner's signature

Name (print) Saxon Mailey	
Signature <i>Saxon Mailey</i>	Date 18 / 03 / 2021