

File Number

FORM 14
Building Act 1993
Regulation 182(3), Building Regulations 2018

BUILDING ORDER - MINOR WORK

This building order is made under section 113 of the **Building Act 1993**.

TO:

The owner

.....
Full name

Of:

.....
Address for service on owner

FROM:

Private Building Surveyor

I am the private building surveyor appointed to carry out functions under the **Building Act 1993** in relation to the *building/*land/*place of public entertainment, which is the subject of this order.

Municipal Building Surveyor

I am the municipal building surveyor of
Insert name of Municipal District

I am authorised to make a building order under section 113 of the **Building Act 1993**.

PROPERTY DETAILS:

Location of the *building/*land/*place of public entertainment to which this order applies:

Address:

.....
Number Street City/Suburb/Town Postcode

Title Particulars:

.....
Lot/s LP/PS Volume Folio

.....
Crown Allotment Section Parish County

Municipal District:

.....

ORDER:

I, as the relevant building surveyor, order that:

*1. By _____ on _____, the owner of the *building/*land/*place of public
[insert time] [insert date]

entertainment _____ **MUST** carry out the
[insert description and address of building, land or place of public entertainment]

following building work as required by the Building Regulations 2018

[insert detailed description of work required to be carried out by the Regulations, including the BCA. Include references to the relevant regulation(s) and/or clauses of the BCA].

*2. By _____ on _____, the owner of the *building/*land/*place of public entertainment _____ **MUST** carry out the following protection work [insert description and address of building, land or place of public entertainment]

[insert detailed description of protection work required to be carried out by this order, including details of adjoining property that will receive the benefit of this work].

*3. By _____ on _____, the owner of the *building/*land/*place of public entertainment _____ **MUST** carry out the following other work as required by the Building Regulations 2018 in relation to the *building/*land/*place of public entertainment [insert description and address of building, land or place of public entertainment]

[insert detailed description of other work required to be carried out by the Regulations, including the BCA. Include references to the relevant regulation(s) and/or clauses of the BCA].

INSPECTION DETAILS:

*The date and time of any inspection of the *building/*land/*place of public entertainment carried out by myself as the relevant building surveyor was—

Time of inspection: **Date of inspection:**

[list any inspections carried out by the relevant building surveyor]

*The date and time of any inspection/s relied on by myself as the relevant building surveyor for the purpose of making this order, and the name and qualifications of the person or persons who conducted the inspection are—

Time of inspection: **Date of inspection:**

Inspected by:
Name Qualifications/Job title RBP number

[list details of any inspections relied on by the relevant building surveyor]

REASON(S) WHY THIS ORDER WAS MADE:

In accordance with section 113 of the **Building Act 1993**, I am of the opinion that—

***The work required by this order is of a minor nature.**

***Building work of a minor nature is required to be carried out**

The building work required by this order is
[describe work]

[state reason(s) why building work of a minor nature is required to be carried out]

***Protection work of a minor nature is required to be carried out**

The protection work required by this order is
[describe work]

[state reason(s) why protection work of a minor nature is required to be carried out]

***Other work of a minor nature is required to be carried out**

The other work required by this order is
[describe work]

[state reason(s) why the other work is required to be carried out]

BUILDING ORDER MADE BY:

Relevant Building Surveyor:
Name and RBP number

Address:

Contact number: **Email:**

***Municipal district/*Council name:**

Building order number:

Signature: **Date of making:**

^ Select as applicable

* Delete if inapplicable

NOTES:

Duration of building order

1. Under section 117 of the *Building Act 1993* (the Act), a building order remains in force, and if amended remains in force as amended, until it is complied with or it is cancelled by the relevant building surveyor or Building Appeals Board.

Amendment or cancellation

2. Under section 116 of the Act, if there is a change in circumstances after the service of a building order, the owner may request the relevant building surveyor to amend or cancel the building order.

Penalty for failure to comply

3. Under section 118(1) of the Act, a person to whom a building order is directed must comply with that order. Penalty: 500 penalty units in the case of a natural person and 2500 penalty units in the case of a body corporate.

Appeal rights

4. Under section 142(2) of the Act, an owner of a building or land may appeal to the Building Appeals Board (BAB) against a decision to make a building order, impose any conditions on a building order, a failure within a reasonable time to amend or cancel a building order, refuse to amend or cancel a building order, or require that a building order is fully complied with. For the purpose of section 146(1)(a) of the Act, the prescribed appeal period under regulation 271 of the Building Regulations 2018 against the making of this building order is **30 days** after the day this building order is served on the person to whom it is directed. In the case of an appeal against the imposition of a condition on this building order, the prescribed period is **30 days** after the order is served on the person to whom it is directed. In the case of an appeal against a refusal to amend or cancel this building order, the prescribed period is **30 days** after the day the owner is notified of the refusal or the day the relevant building surveyor is deemed to have refused to amend or cancel this building order. In the case of an appeal against a requirement that that this building order be fully complied with, the prescribed period is **30 days** after the day the owner is notified of the requirement.

Information regarding the appeal process can be obtained by contacting the BAB:

- website: www.buildingappeals.vic.gov.au
- phone: 1300 421 082
- email: registry@buildingappeals.vic.gov.au

Subsequent owners

5. Under section 236(6) of the Act, this order is binding on every subsequent owner of the land.

Owners corporations

6. If this order is to be served on an owner of a lot affected by an owners corporation, the order may be served on the owners corporation and if so served is taken to be served on the owner. An owners corporation on whom an order is served must not fail to provide a copy of the order to each lot owner affected by the order within a reasonable time after receiving the order. Penalty: 60 penalty units.