

EMERGENCY ORDER



UNDER SECTION 102 OF THE BUILDING ACT
1993

Date - 15/11/22

TO THE OWNER/S & OCCUPIER/S: Ben + Anne Welles

AND TO:

SUBJECT PROPERTY: 3 Penny Lane, McCrae

An inspection of the above property was conducted on the dwelling from the land on 15/11/22

The inspection highlighted immediate safety concerns relating to the fire damaged building/s at the above-mentioned property.

Pursuant to the Section 102 of the Building Act 1993, the Municipal Building Surveyor is required to issue an Emergency Order on the owner or occupier building/land/place of public entertainment if he is of the opinion that the Order is necessary because of a danger to life or property arising out of the condition or use of the building/land.

Please find attached a copy of the Emergency Order.

It is imperative that you address the items in the Order immediately, non compliance with the Order can carry a penalty of 500 penalty units for a natural person or 2500 penalty units for a body corporate (one penalty unit equates to in excess of \$150.00).

I draw your attention to your appeal rights as noted at the rear of the Order.

Once the directions in the Order have been completed please contact me to confirm such and arrange any required inspections.

Should you require any clarification, please do not hesitate to contact me on (03) 5950 1060.

Yours faithfully

I/S

Benjamin Essing
Authorised Person

Statutory Building Team

Mornington Peninsula Shire Council

(Duplicate copy)

EMERGENCY ORDER

This emergency order is made under section 102 of the Building Act 1993.

TO: The owner/s & Occupier/s

AND TO:

Of the building located at: 3 Penny Lane, McCrae

FROM:

I am a delegated building surveyor under Section 216B of the Building Act 1993 ("Act") for the Mornington Peninsula Shire Council.

The Municipal Building Surveyor is authorised to cause an emergency order to be served on the owner/occupier of the building to which this order applies under Division 1 of Part 8 of the Act.

LOCATION OF THE BUILDING TO WHICH THIS ORDER APPLIES:

Dwelling on land

ORDER:

I, being a delegate of the Municipal Building Surveyor under Section 216B of the Act, order that:

1. By 17/11/22 PM/AM on 10:40am, the owner/occupier of the ~~fire damaged~~ ^{land slip impacted} building must carry out the following work to make the building and land safe pursuant to Section 104(1)(b) of the Act.

1.1 Install temporary fencing (minimum 1.8 meters high) to prevent unauthorised access in to the property. The fencing is to be installed to the following location/s:

1.1 Prohibit occupation of the dwelling & any associated buildings on the land
AND

1.2 Remove the following damaged loose material, roof sheeting and debris.
Provide evidence of soil stabilization on the land to the satisfaction of the Municipal Building Surveyor.

Note: The property will be reinspected after the above-mentioned due date to ensure compliance with this order.

(Duplicate copy)