



ACT
Government

Environment, Planning and
Sustainable Development

Planning and Development Act 2007, S425

Form 7A - Information for adjoining resident about proposed exempt development

- to be completed by the proponent and provided to each adjoining resident

Why are you receiving this information?

The exemption criteria for demolition and development of single dwellings on land that has previously had a house built on it requires that information about the proposed development is provided to you as an adjoining resident. Development can be exempt from the need for a development application (DA) if it meets specified criteria. This type of development is known as 'DA exempt development'.

If you are a tenant please consider forwarding a copy of this information and the plans to the lessee or their managing agent.

What you should receive

1. Information sheet (Form 7A) explaining that development is proposed for the site indicated below; and
2. If the proposed development is a single dwelling a copy of each site plan and elevation plan.
A copy of the floor plan is not required to be provided to you.
If the proposed development is only for the demolition of a single dwelling no plans are required to be provided.

What this means for you

The information sheet and attached plans (if required) have been provided for your **information** only. Prior to any construction commencing, a private building certifier must confirm the development proposal meets the DA exemption criteria.

If the proposal meets all of the DA exemption requirements:

- no DA is required and there is no public notification or right of merit review; and
- a building approval can be granted and work can commence without any further notice.

If you have any questions about the proposed development please contact the nominated person which may be the proponent, builder or building certifier. They can discuss the proposal with you.

Block	<input type="text"/>	Section	<input type="text"/>	Suburb	<input type="text"/>	Unit No.	<input type="text"/>
Street address		<input type="text"/>					
Single dwelling	<input type="checkbox"/>	Demolition	<input type="checkbox"/>	Please tick			

Nominated person contact details

Name	<input type="text"/>	Phone number	<input type="text"/>
Email	<input type="text"/>	Alternative phone number	<input type="text"/>
Role	<input type="text" value="Builder, Certifier, Owner Builder etc- Please specify"/>		

NOTE: If the building certifier determines the proposed development does not meet the DA exemption requirements a DA will have to be lodged by the proponent and you will be notified during the public consultation phase of the DA process.



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**Form 7B - Summary of written information for building certifier –
compliance with exemption criteria - Planning & Development
Regulation - to be completed by the proponent and provided to the building certifier**

What this form is for

You should complete this form (Form 7B) if you are proposing to:

- demolish a single residential dwelling (s1.100B); and
- construct a code compliant single residential dwelling on old residential land (s1.100 or s1.100A)

If you are proposing to do this type of development you are required under section 1.19, schedule 1, *Planning and Development Regulation 2008* to give written information about the proposal to each adjoining resident.

Process

1. Complete the form "Information for adjoining resident about proposed exempt development" (Form 7A) and if required attach a copy of the site plan and a copy of elevation plan. Give a copy of the completed form and plans to each adjoining resident. You can do this by placing in the letterbox, by-hand, by email etc.
2. Complete the details below. A copy of Form 7A including any attachments and this form (Form 7B) are required to be included in your application for building approval.

Information for building certifier – compliance with *Planning and Development Regulation 2008*

The information below is provided to demonstrate that s1.19, s1.100, s1.100A and s1.100B (as applicable), schedule 1, *Planning and Development Regulation 2008* has been complied with.

**Proponent
Name/s:**

Block

Section

Suburb

Unit No.

Street address

Signature

Date

Signature

Date

The following adjoining residences have been provided with a copy of Form 7A and if required the site plan/s and elevation/s plans.

Adjoining residences	Method and date of delivery			Date
	Street address – please print	Letterbox	In person	
1.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If there is insufficient space please attach a separate sheet.

Privacy Notice

The personal information on this form is provided to the Planning and Sustainable Development Directorate (EPSDD) to enable the processing of your application. The collection of personal information is authorised by the *Planning and Development Act 2007*. If all or some of the personal information is not collected EPSDD cannot process your application. The personal information you provide may be disclosed where the Directorate reasonably believes that the use or disclosure of the information is reasonably necessary for enforcement-related activities conducted by, or on behalf of, an enforcement body. EPSDD's Information Privacy Policy contains information about how you may access or seek to correct your personal information held by EPSDD, and how you may complain about an alleged breach of the Territory Privacy Principles. The EPSDD Information Privacy Policy can be found at www.environment@act.gov.au

Contact Details:

Environment, Planning and Sustainable Development Directorate
Customer Service Centres
GPO Box 158, Canberra City 2601
16 Challis Street Dickson ACT 2602

Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays)
Phone: (02) 6207 1923
Email: epdcustomerservices@act.gov.au
Website: www.planning.act.gov.au

MORE LEGISLATIVE CHANGES REGARDING DEVELOPMENT NOTIFICATION AND BUILDERS SIGNS

by Jason Grieves, Technical Services Manager

Just when you thought there would or could be no further changes to legislation around the building industry and it was safe to settle into a comfortable business routine another requirement has been introduced. The changes have been proposed in the Planning, Building and Environment Legislation Amendment Bill 2012 and require additional information to be presented at the building approval stage for developments which meet Development Exempt criteria. It also requires notification to adjoining residents in some areas. We have been informed the change has already received consent from the Planning and will come into effect from 28 May, 2012.

The changes relate to the following sections in the Planning and Development Regulations 2008. Amendments to sections 1.100 and 1.100B and new sections introduced at 1.19 and 1.100AA and 1.100AB.

What does this mean for future developments?

After 28 May 2012, the proponent of a Code compliant development in an ‘old residential’ area will be required to take reasonable steps to notify residents of each adjoining property about the proposal within a 2 year period prior to the commencement of the project (see Figure 1 for example). This notification process will be required for work such as demolition of part or whole of an existing building, additions or alterations and a new dwelling with a DA exempt approval. This applies to development taking place where there is at least one existing dwelling on the block of the proposed work.

Notification of the proposed development is to be given to the resident or the tenant of the adjoining residence prior to receiving a building approval. There is no requirement for the proponent to notify the lessee of the residence if they are not the resident or the adjoining block is vacant. There is also no requirement for the resident of an adjoining property if that resident is acting as an agent for the proposed development.

What information is to be conveyed?

The Master Builders Association of the ACT and Certifiers have been informed that the information regarding the proposed development provided by the proponent is to include:

- Site plan
- Elevations
- Details and description of the proposed building work and contact details i.e. ‘Single residence with unattached garage’.
- Contact details. These details do not have to the proponents and may be someone else such as the builder, certifier, or designer.

There is no requirement to include a copy of the proposed floor plan.

Who checks this notification process?

Proof of notification must be presented to the appointed Building Certifier before a commencement notice for building work can be issued. ACTPLA have advised that approved forms to achieve this are still being developed which will also prescribe the information to be relayed. Until these forms are available the proponent must state in writing to the Certifier that they have completed the notification and include details of:

- How the documents were delivered.
- Who the documents were delivered to.
- When the documents were delivered.
- Include location of the residents notified.
- Must be signed by the proponents.

The proponent of the development may deliver information of the development a number of acceptable ways and include the following:

- In person.
- Certified mail.
- Regular mail.
- E-mail.
- Leaving the required information in the adjoining properties letter box, or
- Placing the information under the door of adjoining property.

Please note this notification process is not required for a new residence on a block where the proposed residence is the first dwelling. (see table 1 opposite)

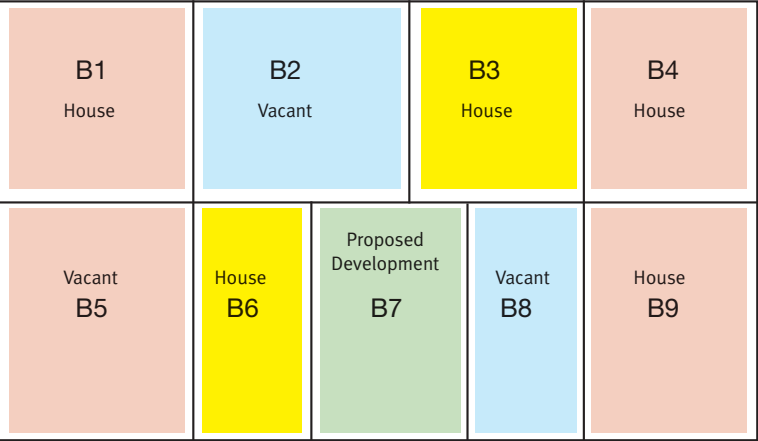
Site signs:

The Master Builders have been informed from the ACTPLA that the introduction for site signage requirements will be 1 July 2012. We have also been advised that it is permissible to include details required under the Work Health and Safety Regulations 2011 on the same sign and have provided an example as in Picture 1 opposite. In addition to information provided in the last edition of Onsite/Insight we have been informed that prior to the issuance of commencement notice the builder must also provide a statement to the Certifier that the sign was erected for 7 consecutive days in the 2 months prior to commencement. A prescribed form is also being developed for this application and will be forwarded to certifiers on its completion.

Table 1

Suburb	Proposed work (DA exempt compliant)	Existing residence present	Notification under s1.19 required
Red Hill	Demo/re-build	Yes	Yes
Hughes	Additions/alterations	Yes	Yes
Casey	New residence	No	No
Forde	Additions/alterations	Yes	Yes
Crace	Pool	Yes	Yes

Figure 1







STREET / ROAD



Notification under Section 1.19 of Regs for B3, B6, B11 & B12.

Blocks B2 and B8 do not require notification as there is no residence present.

-  Proposed Development
-  Notification Required as block is adjoining and resident present
-  No Notification Required as block is vacant and no resident present
-  No Notification Required as block is not adjoining

Principal Contractor
Name.....
Contact.....A/H.....
Site Office Location.....

NOTICE ABOUT BUILDING WORK

Licensed Builder: Joseph Smith
Licence Number: 20011/9999
Contact: 0411 888 999
☐ DA ☐ DA Exempt
Building Certifier: Susan Wilson
Licence Number: 2009/77A
Contact: 6299 5566 or susan@licensedcertifier.com.au
Street Address:.....
.....
Block:..... **Section:**..... **Suburb:**.....

Description of Work: construction of a single storey dwelling with attached garage and pergola.
Stage of Work: the building work is being completed in a single stage.

600mm

900mm

Picture 1 - Site Signage

Signage must be 600mm x 900mm and can be either a landscape or portrait orientation. The notice about building work signage can be combined with your obligations to provide notification under the Work Health and Safety Act. The coloured portion of the above sign relates to requirements under the Work Health and Safety Act. You can erect two separate signs if you wish however it makes sense to combine the two requirements on the one sign as depicted above. Please note however that the **Notice About Building Work** sign has specific provisions in the ACT Building Regulations, and must be a minimum of 600mm x 900mm.

Further information can be found in the previous edition of On-Site Insight.