

DEVELOPMENT APPLICATION

Form 1F

HOME BUSINESS

Type of Application

New Application

(If you attended a pre-application meeting or received pre- application written advice- please provide the proposal number)

Insert Proposal Number to which this application relates (if applicable):

200.....

**Amendment
(S.144)**

Amendment to a **current** application
not yet approved

Insert Proposal Number to which this application relates:

200.....

**Amendment
(S.197)**

Amendment to a **development approval**

Insert Development Approval Number to which this application relates:

200.....

The following questions must be answered for amendments lodged under S.144 or S.197 of the P&D Act 2007

Will the development applied for after the amendment be substantially the same as the development applied for originally?

YES

NO - **If NO** - the Authority must refuse to amend the development application/approval

Will the assessment track for the application change if the application is amended?

NO

YES - **If YES** - the Authority must refuse to amend the development application/approval

**Satisfying Conditions
of Approval (S.165)**

Information and documentation to satisfy conditions of development approval

Insert Proposal Number to which this application relates:

200.....

LEASE/SITE DETAILS - Please Print

If more than one lease/site, attach the following details for each lease/site

Block

Section

Unit (if applicable)

Suburb

District

Street Number

Street Name

Postcode

Applicant Details Please Print

Surname

First Name

Company Name

Position held in company

Australian Company
Number (ACN)

Postal Address

Suburb

State

Postcode

Phone Number Business
Hours

Mobile

EMAIL ADDRESS

Provision of Notice of Decision and Plans

Your notice of decision and/or plans will be returned via email. Please ensure you have provided an email address.

Lessee (Property Owners) Details Please Print**1st Lessee's Details (or Government Land Manager)**

Surname

First Name

Company Name

Position held in company

Australian Company
Number (ACN)

Postal Address

Suburb

State

Postcode

Phone Number Business
Hours

Mobile

EMAIL ADDRESS

*All lessees **must** sign authorising the lodgement of this development application. In doing so the lessee gives authority to the applicant to negotiate any dealings in relation to the application through to its determination. If there are more than two lessees please ensure that the details and authorisation are attached to the application.*

2nd Lessee's Details (or Government Land Manager)

Surname

First Name

Company Name

Position held in company

Australian Company Number (ACN)

Postal Address

Suburb

State

Postcode

Phone Number Business Hours

Mobile

EMAIL ADDRESS

DETAILS OF BUSINESS

Name & Type of Business

Term of Approval Sought (maximum 5 years)

Description and Nature of Business

Have you previously been carrying out a home business at this address?
 NO
 YES

IF YES - Please give details

Proposed Days of Operation

Proposed Hours of Operation

HOME BUSINESS GENERAL REQUIREMENTS

USE

At least one worker who genuinely lives on the lease is employed at any one time by the business operating from the lease. (Mandatory requirement)

Name of person who lives on the lease

Not more than three people (including resident workers) are employed at any one time by the business operating from the lease.

Name of Worker/s	Role in Business	Resident
1.		<input type="checkbox"/> NO <input type="checkbox"/> YES
2.		<input type="checkbox"/> NO <input type="checkbox"/> YES
3.		<input type="checkbox"/> NO <input type="checkbox"/> YES

What is the area of the lease to be used for the business (including storage)?

Total area of the house & all other structures used as garaging & other out buildings

House

Garage/Store

Other Structures

What is the total area of space to be used solely for business purposes

What is the total area of space to be used for both residential & business purposes

If Area Greater Than 40m²

Has evidence been provided in your application that the relevant criteria in the Territory Plan has been satisfied?

- NO
 YES

A clearly dimensioned floor and site plan of the property indicating the all areas of the property where the business is to be carried out, all areas to be used for both residential and business purposes to be provided as part of this application.

Has a floor and site plan been included with this application?

- NO
 YES

Storage (mandatory requirement)

All goods and materials relating to the business (other than goods or materials kept on the lease) must be kept:

- a. In buildings or structures they are lawfully on the lease; and
- b. In away they the goods and materials cannot be seen from outside the lease.

Has evidence been provided in your application that the relevant criteria in the Territory Plan has been satisfied? NO
 YES

Parking

Any vehicles at the lease for the purpose of the business must be parked:

- a. On the lease on a driveway, garage, carport or location screened from any part of the road on which the lease is located; or
- b. If the business is operated from a unit under the Unit Titles Act 2001 – in parking for the unit.

Anticipated number of visitors generated by the business

Maximum Daily

Maximum at any one time

Will this business involve the use of any commercial vehicles? NO
 YES

IF YES

Please give number & types of vehicles

Will this business involve the use of delivery vehicles? NO
 YES

IF YES

Please give the details of vehicles & frequency of deliveries

A clearly dimensioned site plan of the property indicating existing and proposed landscaping and screening, the location, number & dimensions of on-site parking indicating whether for staff, visitors, residents & commercial vehicles to be lodged as part of this application.

Has a site plan been included with this application? NO
 YES

Signs (Mandatory requirement)

Signs must meet the requirements of the Signs General Code in the Territory Plan.

Is signage included in this application? NO
 YES

IF YES - A clearly dimensioned site plan of the property indicating the details of any current or proposed sign or advertising device including dimensions, materials, colour, and exact location to be lodged as part of this application

Has a signage plan been included with this application? NO
 YES

Amenity

In the event that this application will result in more than two approved home businesses in a section, you will need to provide evidence in this application that the requirements of the relevant criteria in the Territory Plan has been satisfied

Has evidence been provided in your application that the relevant criteria in the Territory Plan has been satisfied? NO
 YES
 NOT APPLICABLE

Will this business involve any retail sales? NO
 YES

IF YES
Please give details of products & types of selling

Will there be any machinery, generators or motors used inside or outside the house? NO
 YES

IF YES
Please give details including kilowatts if known

Will there be any chemicals used or pollution created that could create a health hazard from the business? NO
 YES

IF YES
Please give details

Proposed Additions and Alterations

Are there any proposed additions or alterations that require development approval associated with this application? NO
 YES

IF YES – A Residential Zones Single Residential development application form, relevant plans and supporting documentation MUST be lodged with this application. The home business and development approval application will be treated as one application. Both application forms must be completed in full and the documentation requirements for each satisfied.

Exclusion From Public Inspection

In accordance with the requirements of Sections 28 and 30 of the *Planning and Development Act 2007* the Planning and Land Authority must make the details and associated documents relevant to a development application available for public inspection.

If you wish to apply to have all or part of this development application excluded from public inspection you must meet the requirements of Section 411(5) or 412(1) of the Planning and Development Act 2007.

Exclusion from Public Inspection Requested

If Yes – please indicate under which section of Planning & Development Act 2007

- NO
- YES
- S.411(5)** Restriction on Public Availability
- *S.412(1)** Restriction on Public Availability - SECURITY

Please specify the information to be excluded from public inspection and provide reasons for exclusion:

* if exclusion is requested under Section 412(1) a letter, signed by a justice Minister, certifying this request satisfies the requirements Planning and Development Act 2007 **must** accompany this application.

Conflict Of Interest Declaration

Does the applicant or lessee have any association with EPD staff? NO YES

If yes, please provide details:

NOTE: There are penalties for deliberately giving false and misleading information. The Planning and Land Authority or Minister may revoke an approval if satisfied that the approval was obtained by fraud or misrepresentation.

Other Development Application Requirements

LODGEMENT & PAYMENT

A valid development application comprises of a completed development application form accompanied by all of the required information or documents that address the relevant rules and/or relevant criteria for it to be considered for approval.

Proposals in the merit track have the option to comply with the rules or criteria, unless the rule is mandatory. Where it is proposed to meet the criteria, the onus is on the applicant to demonstrate, by supporting plans and written documentation, that the proposed development satisfies the criteria and therefore the intent of the element.

Once a development application is received, the documentation will be checked to ensure it meets the standard for lodgement. If the documentation provided is acceptable, you will receive written confirmation the application is ready for lodgment and a request for the payment of the application fees. A development application is not considered lodged until full payment of fees is made.

If the DA documentation is not acceptable for lodgement, you will receive written advice detailing the additional information required and/or any other issues with your application. Once these things are provided the Planning and Land Authority will recommence the documentation check and fee payment process outlined above.

DOCUMENTATION & PLANS

All required documentation must be provided in an electronic format and meet the following requirements

- Each document must be saved as a PDF and named in accordance with the naming convention as detailed on the EPD website.
- All plans must be to scale.
- All plans must be rotated to the correct orientation i.e. they are the right way up when opened
- All plans are to be clear and concise and generally consistent with Australian Standard 1100.301 - 1985 and Australian Standard 1100.301 supplementary - as updated from time to time.

HARDCOPY DOCUMENTATION REQUIREMENTS

In addition to DA documentation being provided a hard copy must also be provided for the following:

- Any report required as part of an application over 20 pages in length

Amendment to Development Application Not Yet Approved (s.144)

When submitting documentation or plans in relation to an amendment to a development application that has not been determined, a written statement specifying what elements of the original proposal have been changed must be provided.

Further Information (s.141)

In addition to the documentation provided at the time of lodgment the Planning and Land Authority may, by written notice, request more information from the applicant under section 141 of the *Planning and Development Act 2007* at any time after the lodgment of the development application.

Satisfying Conditions of Approval (s.165)

When submitting documentation or plans to satisfy conditions of approval a written statement detailing which conditions the documentation or plans are seeking to satisfy must be provided.

APPLICANT & LESSEE DECLARATION

I/we the undersigned, hereby apply for approval to carry out the development described on the land specified in this application;

I/we declare that this application is accompanied by all of the required information or documents that address the relevant rules and/or relevant criteria for it to be considered for approval;

I/we understand that the information submitted with this application form will undergo a documentation check prior to the payment of fees and formal lodgement of the application. Further information may be required prior to the acceptance of the development application by the Planning and Land Authority;

I/we understand that this application will be considered lodged once the relevant application fees have been paid;

I/we understand that if during the assessment of this application it is found to have been submitted in the incorrect assessment track the application will be refused and I/we will not be entitled to a refund or transfer of fees;

I/we understand that the documentation provided via the electronic lodgement process will be considered to be the relevant documentation associated with this application. All development application documentation will be made available for public inspection including via the Internet unless exclusion has been approved;

If the time for deciding the application (prescribed period) has ended and a decision has not been reached I/we understand that the application will be deemed refused and the Planning and Land Authority will not provide written advice of this decision. I/we also understand that the Planning and Land Authority is able to still consider the application and make a decision after the expiration of the prescribed period;

I/we hereby authorise the Planning and Land Authority its servants and agents to erect sign/s on the subject property(s) as required;

I/we hereby authorise ACT Government officers to access the subject property(s) for the purpose of evaluating the proposal (including the inspection of driveways and trees);

I/we the undersigned (lessee) appoint the applicant whose signature appears below to act on my/our behalf in relation to this Development Application. This authorises the applicant to pay all application fees, bonds and securities, liaise with the Planning and Land Authority when required, alter, amend or provide further information as necessary and receive any communications relating to this Development Application;

I understand that costs associated with the relocation of any engineering services (light poles, storm water, sumps etc) will be at my expense and that I will indemnify the ACT Government, its servants and agents against any claims arising during the relocation of these services;

I understand that construction of any driveway associated with this application may not commence until the contractor has received endorsement by the relevant government entity;

I understand that a Certificate of Design Acceptance and a Road Opening Permit and Temporary Management Plan must be obtained from the relevant government agencies prior to the start of construction works;

I/we declare that all the information given on this form and its attachments is true and complete;

If signing on behalf of a company, organisation or Government agency: -

I/we the undersigned, declare I/we have the appropriate delegation or authority to sign on behalf of the company, organisation or Government agency.

Applicant Signature (s)	<input type="text"/>	Date	<input type="text"/>
1st Lessee's Signature	<input type="text"/>	Date	<input type="text"/>
2nd Lessee's Signature	<input type="text"/>	Date	<input type="text"/>

Please Note All lessees to sign this form – please attach additional details if more than two lessees

Privacy Notice

The personal information on this form is provided to the Environment and Planning Directorate (EPD) 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 EPD cannot process your application. The Planning and Development Act 2007 requires the details of applications, decisions and orders to be kept on a register and made available for public inspection. Information and documentation relevant to a development application may be made available via the Internet. The personal information you provide may be disclosed to Australian Bureau of Statistics, ACT Revenue Office, the Registrar General's Office, ACTEW Corporation, ActewAGL, Territory and Municipal Services Directorate and other Government agencies with a direct interest in the development assessment process. The information may also be disclosed where authorised by law or court order, or 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. EPD's Information Privacy Policy contains information about how you may access or seek to correct your personal information held by EPD, and how you may complain about an alleged breach of the Territory Privacy Principles. The EPD Information Privacy Policy can be found at www.environment@act.gov.au

Does the Commonwealth Environment Protection and Biodiversity Conservation Act 1999 (EPBC) affect your proposal?

The EPBC came into operation on 16 July 2000. It establishes an environmental assessment and approval system that is separate and distinct from the ACT system. It does not affect the validity of ACT development assessment and approval processes, but may affect the assessment track. The ACT cannot provide preliminary advice on whether a proposal falls within the definition of a controlled action, or requires referral to the Commonwealth. You should consult with the Commonwealth to determine if your proposal is a controlled action before seeking any approvals under the *Planning and Development Act 2007*. For information about the EPBC, including the referral process and when a referral should be made, contact the Commonwealth Department of the Environment www.environment.gov.au

Contact Details:

Environment and Planning Directorate
Customer Service Centres
GPO Box 158, Canberra City 2601
8 Darling Street Mitchell, ACT 2911
16 Challis Street Dickson ACT 2602
Business Hours: 8.30am to 4.30pm weekdays (excluding Public Holidays)
Phone: (02) 6207 1923 TTY: (02) 6207 2622
Email: epdcustomerservices@act.gov.au Website: www.environment@act.gov.au

**DOCUMENTATION REQUIREMENTS`
HOME BUSINESS**

<p>Key:</p> <ul style="list-style-type: none"> ✓ Required ◆ Required if relevant 	
<p>A clearly dimensioned floor and site plan of the property indicating the all areas of the property where the business is to be carried out, all areas to be used for both residential and business purposes</p>	✓
<p>A clearly dimensioned site plan of the property indicating existing and proposed landscaping and screening, the location, number & dimensions of on-site parking indicating whether for staff, visitors, residents & commercial vehicles</p>	✓
<p>A clearly dimensioned site plan of the property indicating the details of any current or proposed sign or advertising device including dimensions, materials, colour, and exact location</p>	✓
<p>Evidence Storage requirements have been met</p>	✓
<p>If this application will result in more than two approved home businesses in a section, evidence that the requirements of the relevant criteria in the Territory Plan has been satisfied</p>	◆
<p>If additions and alterations to the residence are proposed as part of this application:</p> <ul style="list-style-type: none"> • Completed Residential Zones - Single Residential DA form • Relevant plans and supporting documentation 	◆