

In accordance with Regulation 16(3C), anyone required by Regulation 12 to give a building notice or an application for building control approval with full plans (Full Plans) to carry out building work shall give the council notice that the work has reached a stage where it can be regarded as commenced for the purposes of compliance with Regulation 46A. A 'regarded as commenced' notice must be given before the end of 5 days after the date the work reached a point where it is regarded as commenced.

Notice to the council about building work being regarded as commenced.

Location of the building work:	
Building Control reference number (e.g. 24/00000/DEXBN):	
Date the work was regarded as commenced:	

Description of works carried out thus far “in order to be for works to be considered as commenced” See overleaf for examples (<i>Please note, if you have not yet reached a stage for the works to be considered as commenced, please do not submit this notice until such time where the works can be considered as commenced</i>):

Name of the person carrying out the work:	
Signature of the person carrying out the work:	
Date (this being no more than 5 working days after the date shown above):	

Work Regarded as Commenced Notice

Examples of the difference between what the 'start of work' and what 'work is regarded as commenced' mean are given below (the examples are not exhaustive) and the applicant, their designer and/or builder should refer to all the meanings given in Regulation 46A –

Work regarded as commenced includes the following:

Non-Complex Buildings and Horizontal Extensions

For buildings that are non-complex or involve a horizontal extension, commencement is defined as the stage when the sub-surface structure is complete. This includes:

- All foundations
- Any basement level (if applicable)
- The structure of the ground floor level

Complex Buildings

A building is considered complex if it meets any of the following criteria:

- It is constructed on a shared foundation plinth or podium with another building or structure.
- It includes more than one storey below ground level.
- Its primary use is as a public building, or it includes areas accessible to the public, with a capacity of 100 or more visitors. (Refer to Regulation 46A(5) for the definition of a public building.)

Commencement of Work for Complex Buildings

- The commencement date is defined as the point at which the foundations supporting the building and the structure of the lowest floor level of that building are completed. This excludes other buildings or structures that may also be supported by the same foundations.

All Other Building Work

- For any other type of building work, commencement is considered to be the point at which the client estimates that 15% of the total building work has been completed.

It is important to understand that, in accordance with Regulation 16(3E), the council may reject this notice if it considers the work cannot be regarded as commenced – in other words the work does not appear to have reached one or more of the stages mentioned in Regulation 46A(2), (3), or (4).

A rejection notice about 'work regarded as commenced' must be given within four weeks of the date this notice was given to the council. If one is not given within that time, then the work is regarded by the council as commenced.

Where a rejection notice by the council is accepted by the person mentioned above, then another 'work regarded as commenced' notice may not be given unless the reasons the council has explained in its rejection notice have been satisfied. The council may also take steps, as it thinks appropriate, to check whether the work is to be regarded as commenced, which may include one or both of the following:

- (a) requiring information.
- (b) laying open of work for inspection.