

Purpose of an Occupancy Permit

It is a requirement under Part 4 of the Building Act 2011, to obtain an Occupancy Permit for all buildings of Class 2-9. Occupation of a building without an Occupancy Permit may incur penalties under the Act and Building Regulations.

Frequently asked questions

Types of Applications for An Occupancy Permit?

The Building Act 2011 and the Building Regulations 2012 set out a number of alternative types of Occupancy Permits. Applications (listed on form BA9) are required for the following:

- Occupancy Permit - Completed new building
- Temporary Occupancy Permit – Incomplete new building
- Modified Occupancy Permit – Additional use of a building on a temporary basis
- Replacement Occupancy Permit – Change of use (Class) of a building
- Unauthorised Building Occupancy Permit – Unauthorised building or portion of a building
- Renewed Occupancy Permit – Replace an existing permit (or Certificate of Classification) previously issued for a building
- Extended Temporary Occupancy Permit – Applicable time period of temporary permit extended

Obtaining an Occupancy Permit?

New unoccupied buildings

Before an Occupancy Permit can be issued for a new building/s the following steps need to be completed:

- The builder must submit a Notice of Completion (Form BA7) to the Local Government within 7 days of completing the building.
- An application for an Occupancy Permit (Form BA9) signed by the owner/occupier is to be submitted.
- A Certificate of Construction Compliance (Form BA17) with all contractor/consultant certifications is required to be submitted from a registered Building Surveyor. This would normally accompany the application for an Occupancy Permit (BA9).

Existing authorised occupied buildings

Before an Occupancy Permit can be issued for an existing authorised building/s the following steps need to be completed:

- A Certificate of Building Compliance (Form BA18) in accordance with s.57 of the Building Act 2011 is required to be submitted from a registered Building Surveyor confirming that they have inspected the building and that it complies with all building standards that it was approved under. This would normally accompany the application for an Occupancy Permit (BA9).
- An application for an Occupancy Permit (Form BA9) signed by the owner/occupier is to be submitted.

Existing unauthorised buildings

Before an Occupancy Permit can be issued for an existing unauthorised building/s the following steps need to be completed:

- A Certificate of Building Compliance (BA18) in accordance with s.57 of the Building Act 2011 is required to be submitted from a registered Building Surveyor confirming that they have inspected the building and that it complies with all current building standards. This would normally accompany the application for an Occupancy Permit (BA9). Refer to the unauthorised Class 2-9 buildings information sheets
- An application for an Occupancy Permit (Form BA9) signed by the owner/occupier is to be submitted.

Building Application Checklist – BA9 Occupancy Permit Application

Approvals and Forms	Further Information	Attached	
		Yes	N/A
BA9 Form	These application forms are available from the Shire's Website www.capel.wa.gov.au or from the front counter at the Shire's Administration Office	<input type="checkbox"/>	<input type="checkbox"/>
Fees	Refer to the Shire's 'Building Services Fees and Charges' information sheet at www.capel.wa.gov.au – also available at the front counter at the Shire's Administration Office.	<input type="checkbox"/>	<input type="checkbox"/>
Required Documents	One Copy of all documents required	Yes	N/A
BA17 or BA18 Certificate	BA17 – Certificate of Construction Compliance (CCC) BA18 – Certificate of Building Compliance (CBC)	<input type="checkbox"/>	<input type="checkbox"/>
Plans & Specifications	A copy of all plans & specifications specified in the CBC or CCC	<input type="checkbox"/>	<input type="checkbox"/>
Technical Certificate	A copy of each technical certificate relied on by the building surveyor	<input type="checkbox"/>	<input type="checkbox"/>
Encroachments/work affecting other land	All consents or court order must be obtained if part of a building or incidental structure is proposed to be placed beyond the boundaries of the works land or if the building work may adversely affect land beyond the boundaries of the works land	<input type="checkbox"/>	<input type="checkbox"/>

Further Information

If you are unsure which of the above options applies to you, or if you have any questions you would like to ask before lodging a request, please contact the Shire of Capel Building Services Department.

Disclaimer

The information contained in this brochure is intended as a guide only. It is recommended that the advice and assistance of the Shire's Building Services be sought prior to lodgement of a Building Application. The Shire of Capel disclaims any liability for any damages sustained by a person acting on the basis of this information.

Department:	Building	Next review:
Reviewer:	Building Surveyor	Adopted:
Amended:	Date	Version: