

## 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.

## 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.

**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 City's Approval Services on 9405 5000.**

Disclaimers:

1. In line with the City's recordkeeping requirements, please ensure that the information included on any application form is accurate and complete. Please also retain a copy of the completed form before submitting with the City as the form and any supporting documents will not be returned. The City accepts no responsibility for any loss, damage, liability or inconvenience suffered by any person as a result of using an application form or lodging an application form with the City.

2. This information sheet is produced by The City of Wanneroo in good faith and the City accepts no responsibility for any ramifications or repercussions for providing this information. This information sheet is correct as of July 2019 and prone to alteration without notification.



#### **Did you know?**

Save time and pay online! This application is available for lodgement via the City's website [www.wanneroo.wa.gov.au](http://www.wanneroo.wa.gov.au)